

ALASKA LEGISLATURE COMMITTEE FILES 2001-2002 8672

10562 SENATE HEALTH EDUCATION & SOCIAL SERVICES

District Name	Writing	Proficient
Haines Borough Schools	84.6%	69.7%
Valdez City Schools	96.9%	69.4%
Denali Borough Schools	68.4%	69.2%
Alyeska Central School	17.3%	68.4%
Cordova City Schools	100.0%	64.9%
Southeast Island Schools	61.5%	62.5%
Skagway City Schools	108.3%	61.5%
Bristol Bay Borough Schools	86.7%	61.5%
Sitka Borough Schools	86.4%	58.3%
Mat-Su Borough Schools	54.1%	57.0%
Delta/Greely Schools	76.0%	56.3%
Copper River Schools	76.0%	55.3%
Petersburg City Schools	96.0%	54.2%
Juneau Borough Schools	32.5%	53.0%
Kenai Peninsula Borough Schools	39.7%	52.8%
Unalaska City Schools	108.0%	51.9%
Ketchikan Gateway Borough Schools	34.1%	50.9%
Fairbanks North Star Borough Schools	86.4%	50.0%
Tanana Schools	75.0%	50.0%
Chugach Schools	46.2%	50.0%
Alaska Gateway Schools	90.6%	48.3%
Dillingham City Schools	76.0%	47.4%
Nenana City Schools	61.3%	47.1%
<b>STATEWIDE</b>	<b>85.1%</b>	<b>46.7%</b>
Anchorage Schools	89.1%	46.5%
Kodiak Island Borough Schools	87.8%	45.8%
Galena City Schools	72.4%	44.0%
Hoonah City Schools	54.7%	43.8%
Craig City Schools	92.1%	42.9%
Wrangell City Schools	92.1%	42.9%
Klawock City Schools	92.0%	38.5%
Aleutian Region Schools	75.0%	33.3%
Iditarod Area Schools	64.3%	33.3%
Mt. Edgecumbe High School	115.7%	33.0%
Nome City Schools	54.7%	32.8%
Pribilof Schools	144.4%	30.8%
Yakutat City Schools	107.7%	28.6%
Chatham Schools	53.3%	26.7%
Take City Schools	100.0%	25.0%
Yukon/Koyukuk Schools	100.0%	25.0%
Bering Strait Schools	67.6%	23.2%
Southwest Region Schools	90.3%	21.4%
Annette Island Schools	96.0%	20.8%
Aleutians East Borough Schools	47.6%	20.0%
North Slope Borough Schools	79.1%	18.5%
Northwest Arctic Borough Schools	74.7%	16.7%
Saint Mary's Schools	54.5%	16.7%
Lower Kuskokwim Schools	31.3%	16.6%
Lower Yukon Schools	63.6%	14.3%
Lake & Peninsula Borough Schools	31.1%	13.3%
Kuspuk School District	108.8%	less than 10%
Yupit Schools	51.4%	less than 10%
Yukon Flats Schools	71.9%	less than 10%
Kashunamiut Schools	100.0%	less than 10%
Hydaburg City Schools	71.4%	less than 10%

Please note: Participation rate may exceed 100% due to increased enrollment between the October count and the spring testing date.




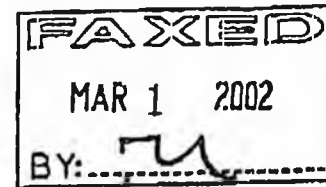
## CyberLynx Correspondence Program

Nenana CyberLynx Correspondence School  
P.O. Box 599  
Nenana, Alaska 99760

Telephone: 907.832.1070 Fax: 907.832.5468

*"Providing Professional Educational Support for Home School Parents"*

To: Senator Loren Lemman  
From: Thomas Klever, Principal   
cc: Dr. Ken Eggleston, Superintendent  
Date: March 14, 2002  
Re: Proposed Regulation Changes and Support for SB 346



The CyberLynx Correspondence Program was one of two different programs that were audited by the Alaska Department of Education last year. The initial letter informing CyberLynx of the audit was sent out one month prior to the audit team visit in May of 2001, and the letter closing the audit process was received on February 5, 2002.

We did not gain benefit from the audit due to the fact that the DOE simply sent a letter dismissing the entire process. It is my belief that the audit was conducted so that the Alaska Department of Education could write regulations. A good example is the following audit requirement:

*The district must provide (by September 28, 2001) instructional services during the count period for all students included as ADM for state foundation funding. The district must go beyond the reliance on an enrollment form to include a student in the ADM count and ascertain that instructional services are being provided. Documentation that this process is occurring must be submitted to the department.*

The above requirement was complied with and the procedure developed took all offices plus thousands of dollars. Forty-eight of our students with confirmed enrollments were denied by the DOE without regard to our submitted paperwork. It is now almost March and we are having to appeal this late decision or face the loss of \$153,600.00.

This school year the Alaska Department of Education have made us responsible for the following:

- Immunizations were not required for homeschooling families last year, but suddenly and without warning we were given three weeks to submit documentation that we had all of our student immunization records on hand. The Alaska Department of Education required that the Department of Health

and Social Services require our compliance, but the DOE did not inform statewide correspondence programs.

- The Department of Education claims that we can't use uncertified proctors for the Benchmark and Terra Nova mandated tests when, in fact, we can do so legally.
- The Department of Education extends the testing time for 3<sup>rd</sup> grade Benchmark examinations to an extra day without contacting or otherwise asking statewide programs how this might impact their programs. Testing on Fridays has always been thought of as bad practice, but the DOE thinks it is okay for Alaskan third graders.
- The Alaska Department of Education is so intent in their efforts to regulate our programs that they sent out their FY 2003 application with **unapproved** regulatory language in the application. This process strongly implies to me that the DOE was so sure that the regulations were going to be approved, that they assumed they could just implement them unilaterally! When their actions were questioned, they responded with, " This has caused confusion and concern from some district staff.....we are reverting to the requirement elements from the FY 2002 application form."
- We received a letter concluding the audit process after the application for FY 2003 Statewide Correspondence Program was due. This meant that we were never really certain whether our responses were completely acceptable by the Department, leaving us to conclude that they were.
- Normally, audit teams contain one or more peer members. That means that our audit team should have had a team member from IDEA or another similarly run program to offer objectivity to the group. As it was, the members present had little to no homeschooling background.
- A statewide meeting was held for the discussion of statewide correspondence programs and the DOE allowed only one person per district to attend, so I could not attend.

I understand that there are a couple of regulations that will assist our program, but feel that it would be best to start from a more collaborative working relationship with homeschooling institutions, families and the Department of Education.

We believe the Department of Education is simply uncomfortable with, unfamiliar with, and fearful of the homeschool concept. Trusting parents with their own children is so much of an alien concept for the Alaska Department of Education that they simply are lashing out to obliterate autonomy and choice. Accountability is possible with choice and autonomy, but we need to work together in order for that to happen. The regulations are being written by individuals with an ignorant fear of what it means to be a homeschooler.

We fully and unconditionally support SB 346 and the spirit in which it is written. I am so thankful for the checks and balances of our form of government. Why doesn't the Department of Education work with us in a collaborative setting? Why must they shove their misguided beliefs and worn out ideas on others? It is vital in a time of budget cutting that we realize that homeschooling offers choice for parents and students in Alaska. The students do well and even excel academically. It would certainly be a shame to end a very cost effective program such as CyberLynx at a time when it is needed most.

SB 346 will allow our program to plan for the future rather than live as we presently do with the annual review process. Each year we have to apply for approval to operate our program and it seems to give the DOE much power over the life or death of this program. We spend an awful lot of precious time compiling the application and it would seem to me that that time would be better spent focusing on programmatic improvements and time spent with students and families.

We appreciate that you are aware that the DOE would like to hold us to a higher standard than the traditional school with fewer dollars. Your efforts are totally supported and we thank you for being a friend of the homeschool community.

# IDEA

Galena City School District ~ Interior Distance Education of Alaska

Carol Simpson, Administrative Assistant

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Concerns with the original regulations proposed by the Department of EED:

- Required an annual application, regardless of the success of the program. [4 AAC 33.421(a)]
- Apparently denied the right of parents to use *privately-purchased* materials that may have a religious component with their own children in their own home. [4 AAC 33.421(d), 4 AAC 33.421(e)(1), and 4 AAC 33.421(g)(2)]
- Required transcript designation of coursework when anything other than traditional public school texts are used. [4 AAC 33.421(e)(3)]
- Mandated the level and type of contact teacher support, including monthly review of work and teacher approval of all expenditures. [4 AAC 33.421(e) and 4 AAC 33.421(h)(5)]
- Mandated withdrawing any student who did not take the standardized test. [4 AAC 33.450]
- Would have shut down any program whose test participation rates were not within 10% of the state average. [4 AAC 33.421(f)(3)]

The department of EED has listened and responded to concerns expressed by the public in letters and e-mails, and to the concerns expressed by the legislature through the review in this committee and the development of HB 464 and SB 346. The draft of new proposed regulations addresses each of these concerns.

Assuming that the state board approves putting the new version out for public comment at the April board meeting, we will make our families aware of the new wording just as soon as they are posted. We support the drafted regulations and expect that our parents will also be willing to accept them. We appreciate the department's responsiveness and appreciate the interest and concern of the legislature.

# ALASKA STATE LEGISLATURE

Rep. Lesil McGuire, Chair  
Sen. Robin Taylor, Vice-Chair  
Sen. Lyda Green  
Sen. Georgianna Lincoln  
Rep. Jeannette James  
Rep. Joe Hayes



State Capitol, Room 116  
Juneau, AK 99801-1182  
(907) 465-5446 fax: 465-6592  
Interim  
716 W. 4<sup>th</sup> Ave. Suite 430  
Anchorage, AK 99501  
(907) 269-0250 fax: 269-0249

## Administrative Regulation Review Committee

### AGENDA

Wednesday 03/20/02, House State Affairs Committee Room # 102, 8:30 am

#### I. 04 AAC 33. 420-.490 Regulation Changes for Special (Correspondence) Schools

Dr. Ed McLain (Department of Education)  
Carol Simpson-I.D.E.A.  
Jim Foster-Galena City Schools  
Public Comment

\*This Hearing will be teleconferenced

Committee Members:

It is my understanding that Ed McLain, Carol Simpson and Jim Foster have sat down at the table and reached an acceptable agreement. The details unfortunately, are not considered a public document because the changes must be introduced at the Board's April 4<sup>th</sup> meeting.

The reason the three people are listed on the agenda is to allow them to speak to a resolution.

During Session, January - May:  
State Capitol, Room 115  
Juneau, Alaska 99801  
(907) 465-2095  
465-3310 FAX



During Interim, June - December:  
716 W 4th Ave, Suite 520  
Anchorage, Alaska 99501  
(907) 269-0240  
269-0242 FAX

Senator Loren Leman

## Sponsor Statement for SB 346 School District Correspondence Study

### **An Act relating to statewide school district correspondence study and state supported home schooling programs.**

SB 346 allows continued success in operating statewide correspondence and home school study programs, with the goal being to maintain parental freedom, individuality and innovation.

Statewide correspondence study programs provide the opportunity for quality education at a lower cost. SB 346 supports quality education by:

1. Holding correspondence schools to the same certification standard as charter schools by extending the certification period from one year to ten years with a requirement for recertification in case a program falls below the state average for students' performance on benchmark exams two years in a row.
2. Providing correspondence and home school study programs with the ability to set their own parameters for monitoring students.
3. Confirming that school districts have the authority to approve or disapprove correspondence curriculum materials.

Correspondence and home schools have been successful in providing educational experiences tailored to individual students. This legislation reaffirms that parents and local school districts have the freedom and flexibility to choose program curricula and materials suited to their students.

Released: March 6, 2002  
Contact: Whitney Highland, Legislative Aide to Senator Loren Leman, at (907) 465-3712

# ALASKA STATE LEGISLATURE

Rep. Lesil McGuire, Chair  
Sen. Robin Taylor, Vice-Chair  
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## Administrative Regulation Review Committee

MAR 28 2002

### MEMO

**To: Committee Members**  
**Fm: Jim Pound, Staff**  
**Date: March 28, 2002**  
**Re: New Proposed Correspondence Regulations**

Attached for your review, please find a copy of the information that will be provided to at the April 4 Board of Education meeting. For the most part these documents are not widely available until after that meeting since the Board must approve them.

Once that is accomplished they will go out on the Web-page April 8 and public comment will begin.

These regulations should be discussed and voted on at the Board's June Meeting.

The information attached to this memo is **CONFIDENTIAL** and/or privileged. It is intended to be reviewed initially by only the individual named above. If the reader of this Memo is not the intended recipient or a representative of the intended recipient, you are hereby notified that any review, dissemination, or copying of the information contained herein is prohibited. If you have received this in error, please immediately notify the sender by telephone and return this to the sender at the above address.

To: **Members of the State Board of  
Education & Early Development**

**March 28, 2002**

**From: Shirley J. Holloway, Commissioner**

**Agenda Item: 23**

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◆ **ISSUE**

The board is being asked to extend public comment on regulations 4 AAC 33.420-490 regarding Statewide Correspondence Programs.

◆ **BACKGROUND**

The amended Statewide Correspondence Program regulations were posted for public comment after the State Board meeting, in November 2001. Since then, the department received hundreds of public comment messages, mostly from parents whose students are enrolled in a statewide correspondence program. Many of the comments reflected misunderstandings of the proposed regulations, a lack of awareness of any previous Statewide Correspondence Regulations, and the opinion that the state was trying to interfere with parents and the home schooling their children.

After reviewing all comments, including those submitted by school districts, department staff have amended language in some sections of 4 AAC 33.420-490. Amended language for the State Board to consider at its April meeting is found in column three of the Side by Side Comparison of Old and New Chapter 33 Special Schools.

Highlights of the amended language are listed below:

- Of great concern to many parents was the belief that the proposed regulations would prohibit parents from purchasing their own curriculum and materials and providing instruction with their own personal funds. Amended language in several places [for example see 4 AAC 33.421(d) and (h)(3)] clarifies that parents are allowed to purchase their own materials with their own funds and provide instruction using those materials.
- Another concern raised by parents was the requirement of an annual application approval process for Statewide Correspondence Programs. Amended language in 4 AAC 33.420 (a), (b), and (c) allows for an application approval process every five years, instead of annually, if the program is designated as distinguished or successful, under AS 14.03.123(a). Further, if the successful or distinguished program is also accredited by the Northwest Accreditation Association, the application period may be extended to ten years.
- Many parents objected to the consequences for a student who did not participate in state mandated assessments (the student would not be allowed to enroll in a Statewide Correspondence Program in the coming year.) In the amended

proposed regulations, the penalty for individual students not participating has been deleted as the placement of correspondence programs in the school designator process contains incentives for programs to encourage participation and contains consequences for the program for student non-participation.

- Many respondents objected to the department requiring Statewide Correspondence Programs to have student participation rates in state required assessments within 10% points of the state average for the prior year's spring test administration. Based on public comment and the inclusion of correspondence programs in the school designation program, this language in 4 AAC 33.421(f)(3) has been deleted.
- Many parents objected to monthly teacher review of student work. The amended regulations restate the requirement to be a minimum of monthly teacher-student or teacher-parent contact and quarterly review of work and progress. The monthly contact may be as brief or as detailed as appropriate or needed for each student. Quarterly review of work and progress is analogous to standard report card or progress report requirements. The monthly contact and quarterly review provide documentation that the student is involved in an ongoing instructional or educational program. This documentation will be helpful in ensuring acceptance of coursework and credits by other institutions.
- Some respondents expressed concern regarding the identification of curriculum and material source for courses. The amended regulations require identification of curriculum or materials for those courses that are NOT district courses. This is consistent with standard practice for districts and accredited schools that accept and award credit for courses or learning acquired from other than district sources.
- Many letters stated that requiring the certified teacher to sign off on purchases would be too burdensome. The amended regulations allow for pre-approval for purchases to be provided by district personnel following procedures established by the district.
- Many parents objected to certified teachers providing or approving the student's final grades. To remove this role from the certified teacher in a public Statewide Correspondence Program would jeopardize the ability to receive or maintain school accreditation status and would jeopardize acceptance of student transcripts and credits by other schools and institutions. To address these issues, the amended regulations do require certified teachers employed by the district approve or provide final grades.

Deputy Commissioner Ed McLain will be present to brief the board.

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♦ **OPTIONS**

Extend public comment on the proposed regulation.  
Amend the proposed regulation and extend public comment.  
Adopt the regulation  
Seek more information.

♦ **ADMINISTRATION'S RECOMMENDATION**

Extend public comment.

♦ **SUGGESTED MOTION**

I move the State Board of Education & Early Development extend public comment on 4 AAC 33.420-490 regarding Statewide Correspondence Programs, as printed.

**CHAPTER 33 SPECIAL SCHOOLS.**

4 AAC 33 is amended by adding a new section to read

**4 AAC 33.405. Scope, findings and purpose.** (a) 4 AAC 33.405—4 AAC 33.990 apply only to district correspondence programs that enroll out-of-district students; thus, they apply to students only when a student enrolls in a public school course and do not apply to students when a student enrolls in courses from a private school, a home school under AS 14.30.010(12), or a non-public correspondence study program.

(b) The Board finds that

- (1) district provided statewide correspondence study programs are a viable alternative to site-based public school programs
- (2) students enrolled in such programs are public school students;
- (3) the state has approximately 9,000 school age children enrolled in district run statewide correspondence programs;
- (4) the state expends over 30 million dollars annually supporting these programs;
- (5) by law district board members are only bound to provide an education to students that reside within the school district;
- (6) under current law, parents of out-of-district correspondence students have no statutory mechanism to affect the governance of the enrolling district;
- (7) there is currently no accountability for the delivery of educational services offered by district run statewide correspondence programs; and
- (8) some statewide correspondence students have received no academic support from their enrolling districts and as a result the quality of their education has fallen below

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PERFORMANCE STANDARDS, AS SET OUT IN 4 AAC 04.010 - 4 AAC 04.200;

(2) CURRICULUM MATERIALS, INCLUDING TEXTBOOKS AND OTHER INSTRUCTIONAL AIDS, HAVING BEEN REVIEWED AND SELECTED BY THE DISTRICT SCHOOL BOARD, ARE OF THE SAME QUALITY AS THOSE MATERIALS THAT THE DISTRICT OFFERS IN THE DISTRICT'S OTHER PROGRAMS, AND ARE IN COMPLIANCE WITH AS 14.03.090 AND AS 14.18.060 ;

(3) THE PROGRAM INCLUDES AN ASSESSMENT PLAN OF THE SAME QUALITY AS AN ASSESSMENT PLAN THAT THE DISTRICT OFFERS IN THE DISTRICT'S OTHER PROGRAMS;

(4) THE DISTRICT REQUIRES ENROLLED STUDENTS TO PARTICIPATE IN THE STATEWIDE STUDENT ASSESSMENT PROGRAM AS REQUIRED BY

4 AAC 06.710 - 4 AAC 06.790;

(5) THE PROGRAM INCLUDES A PLAN FOR RECEIVING PARENTAL ADVICE AND INVOLVEMENT IN PLANNING, DEVELOPMENT, AND EVALUATION OF THE CORRESPONDENCE STUDY PROGRAM, INCLUDING] THE SELECTION AND EVALUATION OF CURRICULUM, TEACHERS, AND ADMINISTRATORS;

(6) THE PROGRAM IS IN THE BEST INTERESTS OF THE STATE.] (Eff. 5/1/99, Register 150; am 6/15/2000, Register 154; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

Authority: AS 14.07.020 AS 14.07.030 AS 14.07.050  
AS 14.07.060 AS 14.14.110 AS 14.17.430  
AS 14.50.010

# CORRECTION

THE FOLLOWING DOCUMENT(S)  
HAVE BEEN REFILMED TO  
ASSURE LEGIBILITY OR PAGINATION



Central Microfilm Services  
Department of Education & Early Development  
State of Alaska

**CHAPTER 33 SPECIAL SCHOOLS.**

4 AAC 33 is amended b, adding a new section to read

**4 AAC 33.405. Scope, findings and purpose.** (a) 4 AAC 33.405—4 AAC 33.990 apply only to district correspondence programs that enroll out-of-district students; thus, they apply to students only when a student enrolls in a public school course and do not apply to students when a student enrolls in courses from a private school, a home school under AS 14.30.010(12), or a non-public correspondence study program.

(b) The Board finds that

- (1) district provided statewide correspondence study programs are a viable alternative to site-based public school programs
- (2) students enrolled in such programs are public school students;
- (3) the state has approximately 9,000 school age children enrolled in district run statewide correspondence programs;
- (4) the state expends over 30 million dollars annually supporting these programs;
- (5) by law district board members are only bound to provide an education to students that reside within the school district;
- (6) under current law, parents of out-of-district correspondence students have no statutory mechanism to affect the governance of the enrolling district;
- (7) there is currently no accountability for the delivery of educational services offered by district run statewide correspondence programs; and
- (8) some statewide correspondence students have received no academic support from their enrolling districts and as a result the quality of their education has fallen below

acceptable standards.

(c) The purpose of 4 AAC 33.405 — 4 AAC 33.990 is to regulate the delivery of statewide correspondence programs to assure

(1) that students enrolled in statewide correspondence programs operated by public school districts receive a quality education;

(2) that students meet state standards in reading, writing and math, and

(3) that students obtain an education comparable to students enrolled in regular public school programs. (Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

Authority:	AS 14.07.020	AS 14.07.030	AS 14.07.050
	AS 14.07.060	AS 14.14.110	AS 14.17.430
	AS 14.30.010	AS 14.03.090	AS 14.08.111
	AS 14.14.090		

4 AAC 33.420 is amended and a new subsection is added to read:

**4 AAC 33.420. DEPARTMENT APPROVAL.** (a) A district that proposes to enroll out-of-district students in a district correspondence study program, including a correspondence study program operated by a charter school, must first file an initial [ANNUAL] application and receive written approval from the department to operate a statewide correspondence study program.

(b) The department will approve a district's initial application if the application satisfactorily demonstrates that the district's proposed statewide correspondence study program complies with the requirements in 4 AAC 33.421. [MEETS THE FOLLOWING CRITERIA:

(1) THE PROGRAM CONFORMS WITH STATEWIDE GOALS AND

PERFORMANCE STANDARDS, AS SET OUT IN 4 AAC 04.010 - 4 AAC 04.200;

(2) CURRICULUM MATERIALS, INCLUDING TEXTBOOKS AND OTHER INSTRUCTIONAL AIDS, HAVE BEEN REVIEWED AND SELECTED BY THE DISTRICT SCHOOL BOARD, ARE OF THE SAME QUALITY AS THOSE MATERIALS THAT THE DISTRICT OFFERS IN THE DISTRICT'S OTHER PROGRAMS, AND ARE IN COMPLIANCE WITH AS 14.03.090 AND AS 14.18.060 ;

(3) THE PROGRAM INCLUDES AN ASSESSMENT PLAN OF THE SAME QUALITY AS AN ASSESSMENT PLAN THAT THE DISTRICT OFFERS IN THE DISTRICT'S OTHER PROGRAMS;

(4) THE DISTRICT REQUIRES ENROLLED STUDENTS TO PARTICIPATE IN THE STATEWIDE STUDENT ASSESSMENT PROGRAM AS REQUIRED BY 4 AAC 06.710 - 4 AAC 06.790;

(5) THE PROGRAM INCLUDES A PLAN FOR RECEIVING PARENTAL ADVICE AND INVOLVEMENT IN PLANNING, DEVELOPMENT, AND EVALUATION OF THE CORRESPONDENCE STUDY PROGRAM, INCLUDING THE SELECTION AND EVALUATION OF CURRICULUM, TEACHERS, AND ADMINISTRATORS;

(6) THE PROGRAM IS IN THE BEST INTERESTS OF THE STATE.] (Eff. 5/1/99, Register 150; am 6/15/2000, Register 154; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

- Authority: AS 14.07.020 AS 14.07.030 AS 14.07.050  
AS 14.07.060 AS 14.14.110 AS 14.17.430  
AS 14.30.010

(c) Once the initial application is approved, the district will not be required to submit a new application

(1) more frequently than every five years if the program is designated as distinguished or successful under AS 14.03.123(a); or

(2) more frequently than every ten years if the program is designated as distinguished or successful under AS 14.03.123(a), and the program is accredited by the Northwest Association of Schools and Colleges . (Eff. 5/1/99, Register 150; am 6/15/2000,

Register 154; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_\_\_)

Authority:	AS 14.07.020	AS 14.07.030	AS 14.07.050
	AS 14.07.060	AS 14.14.110	AS 14.17.430
	AS 14.30.010		

4 AAC 33 is amended by adding a new section to read

**4 AAC 33.421. STATEWIDE CORRESPONDENCE STUDY PROGRAM**

**REQUIREMENTS.** (a) A district that proposes to offer a statewide correspondence study program must demonstrate that the program meets the requirements of this section before the department will approve the application.

(b) The program must conform with statewide goals and performance standards, as set out in 4 AAC 04.010 – 4 AAC 04.200;

(c) The program must use curriculum materials, including textbooks and other instructional aids, that have been reviewed and selected by the district school board, are of the same quality as those materials that the district offers in the district's other programs, and are in compliance with AS 14.03.090 and AS 14.18.060 .

(d) Certified staff shall not advocate partisan, sectarian, or denominational doctrine as

part of their instruction or duties as certificated staff in the correspondence program. Nothing in this section prevents a parent from providing instruction to their child using materials of their choice, provided such material was not purchased with program funds.

(e) To ensure the academic progress of enrolled students, the program must include an assessment plan of the same quality as an assessment plan that the district offers in the district's other programs; this assessment plan will include:

(1) assistance and approval by the district's certified contact teacher in the development of an Individual Learning Plan for each student;

(2) monitoring of the enrolled student by a certified teacher; the monitoring must include at least monthly teacher-student or teacher-parent contact, and quarterly review of the student's work or progress in the Individual Learning Plan; the district will maintain a record of this contact;

(3) grades, or standards met, determined and assigned by a certified teacher, after review and consideration of any recommendations submitted by the student and parents;

(4) a transcript that denotes curricula or material origin for any non-district course.

(f) The district must require enrolled students to participate in the statewide student assessment program as required by 4 AAC 06.710 - 4 AAC 06.790; the program must

(1) require parents to sign an affidavit indicating that they understand the state testing requirements and that they will abide by them; and

(2) provide a secure testing facility pursuant to 4 AAC 06.765 to administer all state mandated assessment tests; or enter into agreements with local school districts and those site-based schools to allow statewide correspondence program students to participate in state required testing.

(g) The program must include a plan for receiving parental advice and involvement in planning, development, and evaluation of the correspondence study program, including the selection and evaluation of curriculum, teachers, and administrators; the plan must include a signed agreement between the statewide correspondence program certified teacher and the parent, or parents, of each student; the agreement

(1) must verify that the curriculum materials and course of study are appropriate for the student, aligned to state standards, and comply with AS 14.03.090; and

(2) must document the process used to ensure curriculum materials are aligned to state standards and in compliance with AS 14.03.090, including a certified teacher review of all curriculum materials for each student.

(h) A statewide correspondence program may provide a fund account to parents for the purpose of meeting instructional expenses for the child enrolled in the program; the following requirements apply to the fund account:

(1) expenditures from fund accounts must be for the student's instructional needs as referenced on the learning plan agreed upon by the parents and the district certified contact teacher;

(2) materials purchased with state funds are property of the program; non consumable materials must be returned to the program when the student exits the program for any reason;

(3) religious, partisan, sectarian, or denominational materials may not be purchased with account funds; nothing in this paragraph, or section, prevents a parent, or child, from purchasing such materials with their own money;

(4) the program must provide written guidance, consistent with this chapter, on

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what constitutes appropriate and allowable expenditures of the fund accounts; the district must include this policy with its application;

(5) all expenditures from the fund account must be approved by the district according to a written process established by the district; the district's process may include pre-authorization for items identified by the district in its written process; and

(6) the fund account may not be used either by the district or the parent to supplant district funds or obligations for IEP services. (Eff. \_\_/\_\_/\_\_, Registe. \_\_)

Authority:	AS 14.07.020	AS 14.07.030	AS 14.07.050
	AS 14.07.060	AS 14.14.110	AS 14.17.430
	AS 14.30.010	AS 14.03.090	AS 14.08.111
	AS 14.14.090		

4 AAC 33.425 is repealed:

**4 AAC 33.425 APPLICATIONS. Repealed.**

4 AAC 33.430 is amended to read:

**4 AAC 33.430. ENROLLMENT OF OUT-OF-DISTRICT STUDENTS. (a) To enroll out-of-district students in a statewide correspondence program, the enrolling district must provide to the department a report listing enrolled students and the percentage of time they are enrolled to the district [BEFORE ENROLLING AN OUT-OF-DISTRICT STUDENT IN A STATEWIDE CORRESPONDENCE STUDY PROGRAM, A DISTRICT SHALL ENTER INTO A COOPERATIVE AGREEMENT WITH THE STUDENT'S DISTRICT OF RESIDENCE,] either before enrolling an out-of-district student in a statewide correspondence study program, or by the time that the student count period information is required by AS 14.17.600.**

(b) Repealed 6/15/2000.

(c) For the purposes of this section, the department will consider Alyeska Central School to be an enrolling district. [ALYESKA CENTRAL SCHOOL SHALL ENTER INTO A COOPERATIVE AGREEMENT WITH THE DISTRICT OF RESIDENCE TO COVER ALL STUDENTS FROM THAT DISTRICT WHOM ALYESKA CENTRAL SCHOOL ENROLLS.] This section does not apply to students who enroll in Alyeska Summer School Program.

(d) Repealed / / . [COOPERATIVE AGREEMENTS MUST INCLUDE, AT A MINIMUM, THE FOLLOWING INFORMATION AND PROVISIONS:

(1) THE NAMES, ADDRESSES, TELEPHONE NUMBERS, AND SOCIAL SECURITY NUMBERS OF OUT-OF-DISTRICT STUDENTS ENROLLED IN THE STATEWIDE CORRESPONDENCE STUDY PROGRAM;

(2) AN ALLOCATION OF EACH STUDENT'S STATE FUNDING ALLOCATION.]

(e) Repealed / / . [THE ENROLLING DISTRICT SHALL PREPARE AND ENTER INTO A SEPARATE INDIVIDUAL COOPERATIVE AGREEMENT FOR EACH OUT-OF-DISTRICT STUDENT WHO IS ELIGIBLE FOR SPECIAL EDUCATION SERVICES.]

(f) Repealed 6/15/2000.

(g) Repealed 6/15/2000.

(h) A student may not be counted as a total of more than 1.0 full-time equivalent for state funding purposes. If a student is enrolled in both the student's district of residence and in a statewide correspondence program of another district, the district of residence shall count the student first under the provisions of 4 AAC 09.040(c), based solely upon the student's enrollment in classes of the district of residence. Any remaining student count may be allocated

to the enrolling district based on the student's enrollment in classes of the statewide correspondence study program. (Eff. 5/1/99, Register 150; am 6/15/2000, Register 154; am \_\_\_ / \_\_\_ / \_\_\_, Register \_\_\_)

Authority:	AS 14.07.020	AS 14.07.030	AS 14.07.060
	AS 14.08.101	AS 14.14.110	AS 14.17.430
	AS 14.30.010		

4 AAC 33.432 is amended, and a new subsection is added to read:

**4 AAC 33.432. ENROLLMENT OF SPECIAL EDUCATION STUDENTS.** (a) For a [A]district that enrolls [MAY ENROLL] an out-of-district student who is entitled to special education and related services under 4 AAC 52.090 in the district's statewide correspondence study program, an individualized cooperative agreement is required with the district of residence if the student is enrolling at less than 100 percent full-time-equivalent-count; if the district enrolls a [EACH] special education student through an individualized cooperative agreement with the district of residence, the [THE] cooperative agreement must provide that the district that receives the larger share of the student's full-time equivalent count for state funding purposes under 4 AAC 33.430(h) and 4 AAC 09.040(c) shall be responsible for the coordination of and payment for special education services, without respect to the cost of those services, as required by the student's individualized education program (IEP), and for compliance with applicable state testing and assessment requirements under 4 AAC 06.710 – 4 AAC 06.790. If the student's full-time equivalent count for each district in which the student is enrolled is equal, the cooperative agreement must provide that the student's district of residence shall be responsible for the coordination of and payment for special education services, without respect to the cost of those services, as required by the student's IEP, and for compliance with applicable

state testing and assessment requirements under 4 AAC 06.710 – 4 AAC 06.790.

(b) An enrolling district shall ensure that all special education students [ENROLLED IN THE DISTRICT'S STATEWIDE CORRESPONDENCE STUDY PROGRAM] are identified and located for the purpose of establishing their need for special education and related services **and that all provisions of 4 AAC 52 are met. For a special education student enrolled in the district's statewide correspondence study program, and for whom an individualized cooperative agreement is not required under 4 AAC 33.432(a), the enrolling district shall ensure that the requirements of 4 AAC 33.432(c)(5) are met.**

(c) **When an** [AN] individualized cooperative agreement for **a** [EACH] special education student **is required by (a) of this section, the agreement** must include, at a minimum, the following information:

(1) the name, address, telephone number, and social security number of the student;

(2) an allocation of each student's state funding calculated in accordance with the provisions of 4 AAC 33.430(h) ;

(3) the name, address, and telephone number of the private provider or school district designated by the enrolling district to provide special education and related services to the student, if applicable, and the signature of a person authorized by the designated provider to agree to the provision of those services;

(4) the plan for receipt and disbursement of funds for the benefit of a student receiving special education and related services;

(5) the plan of services to be provided to the student, the identification of the members of the IEP team from each district in which the student is enrolled, if applicable under 4

AAC 52.140, and a description of the manner in which each teacher who works with the student in the enrolling district will participate as a member of the IEP team for each student; the plan and the cooperative agreement must include the identification of each student in a manner that complies with the confidentiality requirements of 4 AAC 52.220.

(d) Repealed 6/15/2000.

(e) Repealed 6/15/2000.

(f) For purposes of this section, the department will consider Alyeska Central School to be an enrolling district. [ALYESKA CENTRAL SCHOOL SHALL ENTER INTO AN INDIVIDUALIZED COOPERATIVE AGREEMENT WITH THE DISTRICT OF RESIDENCE FOR EACH STUDENT WHOM ALYESKA CENTRAL SCHOOL ENROLLS.]

**(g) Students for whom the statewide correspondence program will provide a portion or all of the special education and related services may provide the services to the student prior to the individualized cooperative agreement being finalized.** (Eff. 5/1/99, Register 150;

am 6/15/2000, Register 154; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

Authority:	AS 14.07.020	AS 14.07.030	AS 14.07.060
	AS 14.08.101	AS 14.14.110	AS 14.17.430
	AS 14.30.010	AS 14.30.186	

4 AAC 33.440 is amended to read

**4 AAC 33.440. REPORTING REQUIREMENTS: CORRESPONDENCE AND PART-**

**TIME STUDENTS.** (a) Each enrolling district shall transmit a report containing the following information to the department along with the student count period information required by

AS 14.17.600 :

- (1) the number of out-of-district students enrolled in the district's statewide

correspondence study program, by district of residence;

(2) the name, address, telephone number, and social security number of each student enrolled part-time in the district's statewide correspondence study program, and the percentage of full-time equivalency assigned to that student.

(b) Districts of residence shall report the following information to the department at the same time that the student count period information is required by AS 14.17.600 :

(1) the name, address, telephone number, and social security number of each student enrolled part time in the district, and the percentage of full-time equivalency assigned to that student;

(2) the name of each enrolling district with which the district of residence has entered into a cooperative agreement [, AND THE NUMBER OF STUDENTS COVERED BY THAT COOPERATIVE AGREEMENT];

(3) the amount of funds received as reimbursement or payment from each enrolling district with which the district of residence has entered into a cooperative agreement.

(c) A district shall make a report required under this section in an electronic or other format, as required by the department. The department will use the reported information to ensure that no student is counted as more than one full-time equivalent. (Eff. 5/1/99, Register 150)

Authority: AS 14.07.020 AS 14.07.030 AS 14.07.060  
AS 14.30.010 AS 14.07.170

4 AAC 33 is amended by adding a new section to read:

**4 AAC 33.460. PROGRAM REVIEW.** (a) The department will monitor school district

statewide correspondence programs to insure compliance with the requirements of this chapter and with assurances given upon application for program approval.

(b) Upon request by the department, the district shall provide

(1) a list of all students enrolled in the statewide correspondence program, including each student's name, age, entry date, exit date, whether the student has a disability category, whether the student receives intensive services, or related services;

(2) a list of all administrators, teachers, teachers aides, and related services personnel who provide special education services in the district, including, for certificated staff, the teacher certificate numbers; and

(3) any other information required by the department. (Eff. \_\_/\_\_/\_\_, Register

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Authority:	AS 14.07.020	AS 14.07.030	AS 14.07.060
	AS 14.07.170	AS 14.17.430	

4 AAC 33.490 is amended to read

**4 AAC 33.490. DEFINITIONS.** In 4 AAC 33.410 – 4 AAC 33.490,

(1) "Alyeska Central School" means the centralized correspondence study program operated by the department;

(2) "board" means the state Board of Education;

(3) "cooperative agreement" means a contract that is entered into by an enrolling district and a district of residence in conformance with [4 AAC 33.430 OR] 4 AAC 33.432;

(4) "department" means the Department of Education and Early Development;

(5) "district" means a city or borough school district or a regional educational attendance area;

(6) "district of residence" means the school district in which a student is a resident;

(7) "enrolling district" means the school district that is operating an approved statewide correspondence study program, including a program established under AS 14.03.250 – AS 14.03.290 , and that seeks or intends to enroll out-of-district students in that district's program;

(8) "IEP" means individualized education program established under the provisions of 4 AAC 52.140 that meets the requirements of AS 14.30.186 and 14.30.278;

(9) "out-of-district student" means a student who seeks to enroll in a district in which they do not reside;

(10) "special education student" means a student who is entitled to special education and related services under AS 14.30.180 - 14.30.350 and 4 AAC 52.010 – 4 AAC 52.990;

(11) "statewide correspondence study program" means any educational program, including a charter school program[ OR A STATE SUPPORTED HOME-SCHOOLING PROGRAM], that [PROVIDES]

(A) enrolls out-of-district students;

(B) [(A)] provides for each secondary course, less than three hours per week of scheduled face-to-face interaction, in the same location, between a teacher certificated under AS 14.20.020 and the class; and

(C) [(B)] provides for elementary students, less than 15 hours per week of scheduled face-to-face interaction, in the same location, between a teacher certificated under AS 14.20.020 and each full-time equivalent elementary student. (Eff. 5/1/99,

Register \_\_\_\_\_, \_\_\_\_\_ 2002 EDUCATION AND EARLY DEV.

Register 150; am 6/15/2000, Register 154; am 12/2/2000, Register 156)

Authority:	AS 14.03.040	AS 14.07.020	AS 14.07.030
	AS 14.07.060	AS 14.14.110	AS 14.17.430
	AS 14.20.010	AS 14.30.010	AS 14.30.186

Editor's note: As of Register 151 (October 1999), the regulations attorney made technical revisions under AS44.62.125(b)(6) to reflect the name change of the Department of Education to the Department of Education and Early Development made by ch. 58, SLA 1999, and the corresponding title change of the commissioner of education.

Side by Side Comparison of Old and New Chapter 33 Special Schools

Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
<p><b>CHAPTER 33. SPECIAL SCHOOLS</b></p>	<p><b>CHAPTER 33 SPECIAL SCHOOLS.</b></p>	<p>4 AAC 33 is amended by adding a new section to read:</p> <p><b>4 AAC 33.405. SCOPE, FINDINGS, AND PURPOSE.</b> (a)                      4 AAC 33.405—4 AAC 33.990 apply only to district correspondence programs that enroll out-of-district students; thus, they apply to students only when a student enrolls in a public school course and do not apply to students when a student enrolls in courses from a private school, a home school under AS 14.30.010(12), or a non-public correspondence study program.</p> <p>(b) The Board finds that</p> <p>(1) district provided statewide correspondence study programs are a viable alternative to site-based public school programs</p> <p>(2) students enrolled in such programs are public school students;</p> <p>(3) the state has approximately 9,000 school age children enrolled in district run statewide correspondence programs;</p> <p>(4) the state expends over 30 million dollars annually supporting these programs;</p> <p>(5) by law district board members are only bound to provide an education to students that reside within the school district;</p>	<p>This new section was created in response to the comments received by the public about the proposed regulations. Opening language clarifies that these regulations apply only to district correspondence programs that enroll out-of-district students. This language also clarifies that the regulations apply to students only when the student enrolls in a public school course, and they apply only to that part of their program that is publicly funded.</p>

Side by Side Comparison of Old and New Chapter 33 Special Schools

Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
		<p>(6) under current law, parents of out-of-district correspondence students have no statutory mechanism to affect the governance of the enrolling district;</p> <p>(7) there is currently no accountability for the delivery of educational services offered by district run statewide correspondence programs; and</p> <p>(8) some statewide correspondence students have received no academic support from their enrolling districts and as a result the quality of their education has fallen below acceptable standards.</p> <p>(c) The purpose of 4 AAC 33.405 — 4 AAC 33.990 is to regulate the delivery of statewide correspondence programs to assure</p> <p>(1) that students enrolled in statewide correspondence programs operated by public school districts receive a quality education;</p> <p>(2) that students meet state standards in reading, writing and math, and</p> <p>(3) that students obtain an education comparable to students enrolled in regular public school programs.</p> <p>(Eff. __ / __ / __, Register __)</p> <p>Authority: AS 14.07.020, AS 4.07.030, AS 14.07.050, AS 14.07.060, AS.14.110, AS</p>	

Side by Side Comparison of Old and New Chapter 33 Special Schools

Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
<p><b>4 AAC 33.420. DEPARTMENT APPROVAL.</b> a) A district that proposes to enroll out-of-district students in a district correspondence study program, including a correspondence study program operated by a charter school, must first file an annual application and receive written approval from the department to operate a statewide correspondence study program.</p> <p>(b) The department will approve a district's application if the application satisfactorily demonstrates that the district's proposed statewide correspondence study program meets the following criteria:</p> <p>(1) The program conforms with statewide goals and performance standards, as set out in 4 AAC 04.010 - 4 AAC 04.200;</p>	<p>4 AAC 33.420 is amended to read:</p> <p><b>4 AAC 33.420. DEPARTMENT APPROVAL.</b> (a) A district that proposes to enroll out-of-district students in a district correspondence study program, including a correspondence study program operated by a charter school, must first file an annual application and receive written approval from the department to operate a statewide correspondence study program.</p> <p>(b) The department will approve a district's application if the application satisfactorily demonstrates that the district's proposed statewide correspondence study program <u>complies with the requirements in 4 AAC 33.421.</u> [MEETS THE FOLLOWING CRITERIA: (1) THE PROGRAM CONFORMS WITH STATEWIDE GOALS AND PERFORMANCE STANDARDS. AS SET OUT IN 4 AAC 04.010 - 4 AAC 04.200;</p>	<p>14.17.430, AS 14.30.010, AS 14.03.090, AS 14.08.111 AS 14.14.090</p> <p>4 AAC 33.420 is amended <u>and a new subsection is added</u> to read:</p> <p><b>4 AAC 33.420. DEPARTMENT APPROVAL.</b> a) A district that proposes to enroll out-of-district students in a district correspondence study program, including a correspondence study program operated by a charter school, must first file an <u>initial</u> [ANNUAL] application and receive written approval from the department to operate a statewide correspondence study program.</p> <p>(b) The department will approve a district's <u>initial</u> application if the application satisfactorily demonstrates that the district's proposed statewide correspondence study program [MEETS THE FOLLOWING CRITERIA:] <u>complies with the requirements in 4 AAC 33.421.</u></p>	<p>Based on a review of the annual statewide correspondence program applications that have been submitted, the on-site program reviews conducted in 2001, and the 9/24/01 meeting in Anchorage with program representatives, it was determined that more detail and clarification related to the understandings and expectations related to statewide correspondence programs would be helpful</p> <p>The insertion of the word "initial" changes the application from an annual requirement to an initial requirement</p> <p>Subsection (b) was re-worded and refers to a new section that will more clearly line out program requirements. (b) (1)-(6) are repealed because the new section, 4 AAC 33.421 now addresses program requirements. While the proposed regulations move the requirements in 4 AAC 33.420 (b)</p>

Side by Side Comparison of Old and New Chapter 33 Special Schools

Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
<p>(2) curriculum materials, including textbooks and other instructional aids, have been reviewed and selected by the district school board, are of the same quality as those materials that the district offers in the district's other programs, and are in compliance with AS 14.03.090 and AS 14.18.060;</p> <p>(3) the program includes an assessment plan of the same quality as an assessment plan that the district offers in the district's other programs;</p> <p>(4) the district requires enrolled students to participate in the statewide student assessment program as required by 4 AAC 06.710 - 4 AAC 06.790;</p> <p>(5) the program includes a plan for receiving parental advice and</p>	<p>(2) CURRICULUM MATERIALS, INCLUDING TEXTBOOKS AND OTHER INSTRUCTIONAL AIDS, HAVE BEEN REVIEWED AND SELECTED BY THE DISTRICT SCHOOL BOARD, ARE OF THE SAME QUALITY AS THOSE MATERIALS THAT THE DISTRICT OFFERS IN THE DISTRICT'S OTHER PROGRAMS, AND ARE IN COMPLIANCE WITH AS 14.03.090 AND AS 14.18.060 ;</p> <p>(3) THE PROGRAM INCLUDES AN ASSESSMENT PLAN OF THE SAME QUALITY AS AN ASSESSMENT PLAN THAT THE DISTRICT OFFERS IN THE DISTRICT'S OTHER PROGRAMS;</p> <p>(4) THE DISTRICT REQUIRES ENROLLED STUDENTS TO PARTICIPATE IN THE STATEWIDE STUDENT ASSESSMENT PROGRAM AS REQUIRED BY 4 AAC 06.710 - 4 AAC 06.790;</p> <p>(5) THE PROGRAM INCLUDES A PLAN FOR RECEIVING PARENTAL ADVICE AND INVOLVEMENT IN PLANNING,</p>		<p>(1)-(5) to a new section, those requirements are contained in both the current as well as the proposed regulations.</p>

Side by Side Comparison of Old and New Chapter 33 Special Schools

Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
<p>involvement in planning, development, and evaluation of the correspondence study program, including the selection and evaluation of curriculum, teachers, and administrators;</p> <p>(6) the program is in the best interests of the state.</p> <p>History: Eff. 5/1/99, Register 150; am 6/15/2000, Register 154</p> <p>Authority: AS 14.07.020, AS 14.07.030, AS 14.07.050 ,AS 14.07.060 ,AS 14.14.110, AS 14.17.430, AS 14.30.010</p>	<p>DEVELOPMENT, AND EVALUATION OF THE CORRESPONDENCE STUDY PROGRAM, INCLUDING] THE SELECTION AND EVALUATION OF CURRICULUM, TEACHERS, AND ADMINISTRATORS;</p> <p>(6) THE PROGRAM IS IN THE BEST INTERESTS OF THE STATE.]</p> <p>(Eff. 5/1/99, Register 150; am 6/15/2000, Register 154; am ___/___/___, Register ___)</p> <p>Authority: AS 14.07.020 AS 14.07.030, AS 14.07.050, AS 14.07.060, AS 14.14.110, AS 14.17.430, S 14.30.010</p>	<p><u>(c) Once the initial application is approved, the district will not be required to submit a new application</u></p> <p><u>(1) more frequently than every five years if the program is designated as distinguished or successful under AS 14.03.123(a); or</u></p> <p><u>(2) more frequently than every ten years if the program is designated as distinguished or successful under AS 14.03.123(a), and the program is accredited by the Northwest Association of Schools and Colleges.</u></p> <p>(Eff. 5/1/99, Register 150; am 6/15/2000, Register 154; am ___/___/___, Register ___)</p>	<p>(c) is a new subsection. Many of the public comments requested that program applications not be submitted annually. This new section ties the statewide correspondence programs into the state's school designation system.</p>

Side by Side Comparison of Old and New Chapter 33 Special Schools

Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
	<p>4 AAC 33 is amended by adding a new section to read</p> <p><b>4 AAC 33.421. STATEWIDE CORRESPONDENCE STUDY PROGRAM REQUIREMENTS.</b>                      (a) A statewide correspondence study program offered by a district must meet the requirements of this section before its application will be approved by the department.</p> <p>(b) The program must conform with statewide goals and performance standards, as set out in 4 AAC 04.010 – 4 AAC 04.200;</p> <p>(c) The program must use curriculum materials, including textbooks and other instructional aids, that have been reviewed and selected by the district school board, are of the same quality as those materials that the district offers in the district's other programs, and are in compliance with AS 14.03.090 and AS 14.18.060 .</p>	<p>Authority: AS 14.07.020 AS 14.07.030, AS 14.07.050, AS 14.07.060, AS 14.14.110, AS 14.17.430, S 14.30.010</p> <p><b>4 AAC 33.421. STATEWIDE CORRESPONDENCE STUDY PROGRAM REQUIREMENTS.</b>                      (a) A district that proposes to offer a statewide correspondence study program must <u>demonstrate that the program</u> meets the requirements of this section before the department will approve the application.</p> <p>(b) remains the same.</p> <p>(c) remains the same.</p>	<p>This is the new section that more clearly lines out Statewide Correspondence Study Program requirements for those districts wishing to offer such a program. Previous language from 4 AAC 33.420 is incorporated into this new section along with new language. Items containing new language will have notations in this column.</p> <p>(b) was in current regulation. Its location was moved in the proposed regulations in November.</p> <p>(c) was in current regulation. Its location was moved in the proposed regulations in November. AS 14.07.050 requires that "textbooks... shall be selected by district boards for district</p>

Side by Side Comparison of Old and New Chapter 33 Special Schools

Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
	<p>(d) The program staff, including certified teachers, shall not provide instruction using religious, partisan, sectarian, or denominational curricula purchased privately by the parent, guardian of the student, or by the student if the curricula teach particular religious beliefs, or a particular religion, as true.</p> <p>(e) To ensure the academic progress of enrolled students, the program must include an assessment plan of the same quality as an assessment plan that the district offers in the district's other programs; assessment must include:</p> <p>(1) monitoring of the enrolled student by a certified teacher; the monitoring must include at least</p>	<p>(d) <u>Certified staff shall not advocate partisan, sectarian, or denominational doctrine as part of their instruction or duties as certificated staff in the correspondence program. Nothing in this section prevents a parent from providing instruction to their child using materials of their choice, provided such material was not purchased with program funds.</u></p> <p>(e) To ensure the academic progress of enrolled students, the program must include an assessment plan of the same quality as an assessment plan that the district offers in the district's other programs; <u>this assessment plan will include [ASSESSMENT MUST INCLUDE]:</u></p> <p><u>(1) assistance and approval by the district's certified contact teacher in the development of an Individual Learning Plan for each student;</u></p> <p>(2) [(1)] monitoring of the enrolled student by a certified teacher; the monitoring must include at least monthly <u>teacher-student or teacher-</u></p>	<p>schools.”</p> <p>(d) Provides clarification on the role and restrictions on certificated staff related to religious, partisan, sectarian and denominational curricula and materials. This is in compliance with AS 14.03.090.</p> <p>(e) was in current regulation. Its location is being moved.</p> <p>(1) This addition was recommended in public comment.</p>

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Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
	<p>monthly review of the student's work and documentation of the certified teacher's review;</p> <p>(2) grades, or standards met, determined and assigned by a certified teacher, after review and consideration of any recommendations submitted by the student and parents;</p> <p>(3) a transcript that denotes curricula material origin for any course other than a district developed course.</p> <p>(f) The district must require enrolled students to participate in the statewide student assessment program as required by 4 AAC</p>	<p><u>parent contact, and quarterly review of the student's work or progress in the Individual Learning Plan; the district will maintain a record of this contact</u> [AND DOCUMENTATION OF THE CERTIFIED TEACHER'S REVIEW];</p> <p>(3) [(2)] grades, or standards met, determined and assigned by a certified teacher, after review and consideration of any recommendations submitted by the student and parents;</p> <p>(4) [(3)] a transcript that denotes curricula <u>or</u> material origin for any non-district course</p> <p>(f) remains the same.</p>	<p>(2) addresses certified teacher requirements related to reviewing student work. Change is in response to responses received in public comment. The monthly contact requirement is analogous to the requirement for attendance at least once every 10 days in site based school. The quarterly review of work or progress is analogous to standard report card / progress requirements. The monthly contact may be as brief or as detailed as appropriate or needed for the particular student.</p> <p>(3) addresses required grading by the certified teacher.</p> <p>(4) Identification of curriculum and material source are required only for those courses that are NOT district-developed courses. This allows for the identification, inclusion and granting of credit for non-district developed courses. This is consistent with standard practice for districts and accredited schools that accept and award credit for courses or learning</p>

### Side by Side Comparison of Old and New Chapter 33 Special Schools

Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
	<p>06.710 - 4 AAC 06.790; the program must</p> <p>(1) have staff inform parents of state testing requirements and the consequences of non-compliance under 4 AAC 33.450; and</p> <p>(2) provide a secure testing facility pursuant to 4 AAC 06.765 to administer all state mandated assessment tests; or enter into agreements with local school districts and those site-based schools to allow statewide correspondence program students to participate in state required testing;</p> <p>(3) have available to the department, data documenting student participation rates in state required assessments within 10% points of the state average for the prior year's spring test administration.</p> <p>(g) The program must include a plan for receiving parental advice and involvement in planning, development, and evaluation of the correspondence study program, including the selection and</p>	<p><u>(1) require parents to sign an affidavit indicating that they understand the state testing requirements and that they will abide by them; and</u></p> <p>(2) remains the same.</p> <p>[(3) HAVE AVAILABLE TO THE DEPARTMENT, DATA DOCUMENTING STUDENT PARTICIPATION RATES IN STATE REQUIRED ASSESSMENTS WITHIN 10% POINTS OF THE STATE AVERAGE FOR THE PRIOR YEAR'S SPRING TEST ADMINISTRATION.]</p> <p>(g) remains the same.</p>	<p>acquired from other than district sources.</p> <p>(f)(1) and (2) provide new language related to student participation in state mandated assessments and the responsibility the district has for maintaining student participation rates in state mandated assessments. This is consistent with requirements in all public schools in the state and with the requirements for secure and comparable testing facilities and procedures.</p> <p>New language in (1) is from recommendations received in public comment.</p> <p>(3) is being deleted based on comments from the public.</p>

### Side by Side Comparison of Old and New Chapter 33 Special Schools

Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
	<p>evaluation of curriculum, teachers, and administrators; the plan must include a signed agreement between the statewide correspondence program certified teacher and the parent, or parents, of each student; the agreement</p> <p>(1) must verify that the curriculum materials and course of study are aligned to state standards and comply with AS 14.03.090, and appropriate for the student;</p> <p>(2) must document the process used to ensure curriculum materials are aligned to state standards and in compliance with AS 14.03.090, including a certified teacher review of all curriculum materials for each student.</p> <p>(h) A statewide correspondence program may provide a fund account to parents for the purpose of meeting instructional expenses for the child enrolled in the program; the following requirements apply to the fund account:</p> <p>(1) expenditures from statewide correspondence fund accounts must</p>	<p>(1) must verify that the curriculum materials and course of study are <b>appropriate for the student</b>, aligned to state standards, and comply with AS 14.03.090, and [APPROPRIATE FOR THE STUDENT;]</p> <p>(2) remains the same.</p> <p>(h) remains the same.</p> <p>(1) expenditures from [STATEWIDE CORRESPONDENCE] fund accounts</p>	<p>(g)(1) through (6) provide clear guidance to Statewide Correspondence Programs on the use of parent/student fund accounts.</p> <p>New wording reflects clarification based on public comment letters. The requirement for materials to be aligned to state standards is contained in current regulation.</p> <p>(h) clarifies that the fund account</p>

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	<p>be for the student's instructional needs only;</p> <p>(2) materials purchased with state funding are property of the program; non consumable materials must be returned to the program when the student exits the program for any reason;</p> <p>(3) religious, partisan, sectarian, or denominational materials may not be purchased with account funds;</p> <p>(4) the program must provide written guidance, consistent with this chapter, on what constitutes appropriate and allowable expenditures of the fund accounts;</p> <p>(5) all expenditures from the fund account must be approved by the certified teacher signing the student's plan; and</p>	<p>must be for the student's instructional needs; [ONLY] <u>as referenced on the learning plan agreed upon by the parents and the district certified contact teacher;</u></p> <p>(2) materials purchased with state <u>funds</u> [FUNDING] are property of the program; non consumable materials must be returned to the program when the student exits the program for any reason;</p> <p>(3) religious, partisan, sectarian, or denominational materials may not be purchased with account funds; <u>nothing in this paragraph, or section, prevents a parent, or child, from purchasing such materials with their own money;</u></p> <p>(4) the program must provide written guidance, consistent with this chapter, on what constitutes appropriate and allowable expenditures of the fund accounts; <u>the district must include this policy with its application;</u></p> <p>(5) all expenditures from the fund account must be approved by the <u>district according to a written process established by the district;</u></p>	<p>must be used for instructional expenses for the child enrolled in the program.</p> <p>Deleted words weren't needed.</p> <p>Wording added is from recommendations received in public comment.</p> <p>Word change does not change intent.</p> <p>New wording in (3) reflects clarification sought in public comment letters on the issue of purchasing curricula or materials with personal, family funds.</p> <p>New wording in (4) reflects clarification on what is to be included in the program</p>

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<p>4 AAC 33.425. APPLICATIONS.</p> <p>(a) A district application for department approval of a statewide correspondence study program must be received by the department on or before the January 1 preceding the school year in which the program is to be initiated.</p> <p>(b) The department will review each application and issue a written approval or denial of the application before the July 1 preceding the school year in which the program is to be initiated.</p> <p>(Eff. 5/1/99, Register 150) Authority: AS 14.07.020,AS</p>	<p>(6) the fund account may not be used either by the district or the parent to supplant district funds or obligations for IEP services.</p> <p>(Eff. __/__/__, Register __)</p> <p>Authority: AS 14.07.020 AS 14.07.030 AS 14.07.050 AS 14.07.060 AS 14.14.110 AS 14.17.430AS 14.30.010, AS 14.03.090AS 14.08.111AS 14.14.090</p> <p>4 AAC 33.425 APPLICATIONS This remains the same.</p>	<p><u>the district's process may include pre-authorization for items identified by the district in its written process</u> [CERTIFIED TEACHER SIGNING THE STUDENT'S PLAN]; and</p> <p>(6) Remains the same.</p> <p>4 AAC 33.425 Repealed;</p>	<p>application.</p> <p>New wording in (5) reflects changes sought in public comment letters. Many letters stated that requiring the certified teacher to sign off on purchases would be too burdensome.</p> <p>(6) clarifies existing federal restrictions and requirements regarding district obligations related to IDEA / IEP plans and services.</p>

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<p>14.07.030, AS 14.07.060 ,AS 14.17.430, AS 14.30.010</p> <p><b>4 AAC 33.430. ENROLLMENT OF OUT-OF-DISTRICT STUDENTS.</b>                      (a) Before enrolling an out-of-district student in a statewide correspondence study program, a district shall enter into a cooperative agreement with the student's district of residence.</p> <p>(b) Repealed 6/15/2000.</p> <p>(c) For the purposes of this</p>	<p>4 AAC 33.430 is amended to read:</p> <p><b>4 AAC 33.430. ENROLLMENT OF OUT-OF-DISTRICT STUDENTS.</b> (a) <u>To enroll out-of-district students in a statewide correspondence program, the enrolling district must provide to the department a report listing enrolled students and the percentage of time they are enrolled to the district</u> [BEFORE ENROLLING AN OUT-OF-DISTRICT STUDENT IN A STATEWIDE CORRESPONDENCE STUDY PROGRAM, A DISTRICT SHALL ENTER INTO A COOPERATIVE AGREEMENT WITH THE STUDENT'S DISTRICT OF RESIDENCE,] <u>either before enrolling an out-of-district student in a statewide correspondence study program, or by the time that the student count period information is required by AS 14.17.600.</u></p> <p>(b) Repealed 6/15/2000.</p> <p>(c) For the purposes of this section, the department will consider</p>	<p>All sections of 4 AAC 33.430 remain the same.</p> <p>(b) remains the same.</p> <p>(c) remains the same.</p>	<p>Requirements of the program application are located in other sections of these regulations; therefore, this section was no longer needed. The amended proposed regulations change the timeframe for the application to a five-year timeframe versus an annual process.</p> <p>The revised language in (a) streamlines the enrollment process and removes the burdensome cooperative agreement process as it relates to Statewide Correspondence Programs.</p>

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Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
<p>section, the department will consider Alyeska Central School to be an enrolling district. Alyeska Central School shall enter into a cooperative agreement with the district of residence to cover all students from that district whom Alyeska Central School enrolls. This section does not apply to students who enroll in Alyeska Summer School Program.</p> <p>(d) Cooperative agreements must include, at a minimum, the following information and provisions:</p> <p>(1) the names, addresses, telephone numbers, and social security numbers of out-of-district students enrolled in the statewide correspondence study program;</p> <p>(2) an allocation of each student's state funding allocation.</p>	<p>Alyeska Central School to be an enrolling district. [ALYESKA CENTRAL SCHOOL SHALL ENTER INTO A COOPERATIVE AGREEMENT WITH THE DISTRICT OF RESIDENCE TO COVER ALL STUDENTS FROM THAT DISTRICT WHOM ALYESKA CENTRAL SCHOOL ENROLLS.] This section does not apply to students who enroll in Alyeska Summer School Program.</p> <p>(d) <u>Repealed / /</u>. [COOPERATIVE AGREEMENTS MUST INCLUDE, AT A MINIMUM, THE FOLLOWING INFORMATION AND PROVISIONS:</p> <p>(1) THE NAMES, ADDRESSES, SOCIAL SECURITY NUMBERS OF OUT-OF-DISTRICT STUDENTS ENROLLED IN THE STATEWIDE CORRESPONDENCE STUDY PROGRAM;</p> <p>(2) AN ALLOCATION OF EACH STUDENT'S STATE FUNDING ALLOCATION.]</p>	<p>(d) remains the same.</p> <p>(1) remains the same.</p> <p>(2) remains the same.</p>	<p>Deleted language in (c) removes the cooperative agreement language as it related to Alyeska Central School.</p> <p>This subsection is no longer needed.</p>

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Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
<p>(e) The enrolling district shall prepare and enter into a separate individual cooperative agreement for each out-of-district student who is eligible for special education services.</p>	<p>(e) <del>Repealed</del> / / . [THE ENROLLING DISTRICT SHALL PREPARE AND ENTER INTO A SEPARATE INDIVIDUAL COOPERATIVE AGREEMENT FOR EACH OUT-OF-DISTRICT STUDENT WHO IS ELIGIBLE FOR SPECIAL EDUCATION SERVICES.]</p>	<p>(e) remains the same.</p>	<p>This subsection is no longer needed.</p>
<p>(f) Repealed 6/15/2000.</p>	<p>(f) Repealed 6/15/2000.</p>	<p>(f) remains the same.</p>	<p>This subsection is no longer needed.</p>
<p>(g) Repealed 6/15/2000.</p>	<p>(g) Repealed 6/15/2000.</p>	<p>(g) remains the same.</p>	<p>This subsection is no longer needed.</p>
<p>(h) A student may not be counted as a total of more than 1.0 full-time equivalent for state funding purposes. If a student is enrolled in both the student's district of residence and in a statewide correspondence program of another district, the district of residence shall count the student first under the provisions of 4 AAC 09.040(c), based solely upon the student's enrollment in classes of the district of residence. Any remaining student count may be allocated to the enrolling district based on the student's enrollment in classes of the statewide correspondence study program.</p>	<p>(h) A student may not be counted as a total of more than 1.0 full-time equivalent for state funding purposes. If a student is enrolled in both the student's district of residence and in a statewide correspondence program of another district, the district of residence shall count the student first under the provisions of 4 AAC 09.040(c), based solely upon the student's enrollment in classes of the district of residence. Any remaining student count may be allocated to the enrolling district based on the student's enrollment in classes of the statewide correspondence study program.</p>	<p>(h) remains the same.</p>	<p>This subsection is no longer needed.</p>
<p>(Eff. 5/1/99, Register 150; am</p>	<p>(Eff. 5/1/99, Register 150; am</p>		

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<p>6/15/2000, Register 154; am            ___/___/___, Register ___)            Authority: AS 14.07.020            ,AS14.07.030,            AS 14.07.060, AS 14.08.101, AS            14.14.110,AS 14.17.430,AS            14.30.010</p> <p><b>4 AAC 33.432. ENROLLMENT OF SPECIAL EDUCATION STUDENTS.</b>            (a) A district may enroll an out-of-district student who is entitled to special education and related services under 4 AAC 52 in the district's statewide correspondence study program, if the district enrolls each special education student through an individualized cooperative agreement with the district of residence. The cooperative agreement must provide that the district that receives the larger share of the student's full-time equivalent count for state funding purposes under 4 AAC 33.430(h) and 4 AAC 09.040(c) shall be responsible for the coordination of and payment for special education services, without respect to the cost of those services, as required by the student's individualized</p>	<p>6/15/2000, Register 154; am            ___/___/___, Register ___)            Authority: AS 14.07.020 AS            14.07.030AS 14.07.060 AS            14.08.101 AS 14.14.110 AS            14.17.430 AS 14.30.010</p> <p>4 AAC 33.432 is amended and new paragraphs are added, and a new subsection is added to read:</p> <p><b>4 AAC 33.432. ENROLLMENT OF SPECIAL EDUCATION STUDENTS.</b> (a) <u>For a [A]district that enrolls [MAY ENROLL] an out-of-district student who is entitled to special education and related services under 4 AAC 52.090 in the district's statewide correspondence study program, <b>an individualized cooperative agreement is required with the district of residence if the student is enrolling at less than 100 percent full-time-equivalent-count;</b> if the district enrolls a [EACH] special education student through an individualized cooperative agreement with the district of residence, [.] <b>the [THE] cooperative agreement must provide that the district that receives the larger share of the student's full-time</b></u></p>	<p>All sections of 4 AAC 33.432 remain the same.</p> <p>(a) remains the same.</p>	

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<p>education program (IEP), and for compliance with applicable state testing and assessment requirements under 4 AAC 06.710 - 4 AAC 06.790. If the student's full-time equivalent count for each district in which the student is enrolled is equal, the cooperative agreement must provide that the student's district of residence shall be responsible for the coordination of and payment for special education services, without respect to the cost of those services, as required by the student's IEP, and for compliance with applicable state testing and assessment requirements under 4 AAC 06.710 - 4 AAC 06.790.</p> <p>(b) An enrolling district shall ensure that all special education students enrolled in the district's</p>	<p>equivalent count for state funding purposes under 4 AAC 33.430(h) and 4 AAC 09.040(c) shall be responsible for the coordination of and payment for special education services, without respect to the cost of those services, as required by the student's individualized education program (IEP), and for compliance with applicable state testing and assessment requirements under 4 AAC 06.710 - 4 AAC 06.790. If the student's full-time equivalent count for each district in which the student is enrolled is equal, the cooperative agreement must provide that the student's district of residence shall be responsible for the coordination of and payment for special education services, without respect to the cost of those services, as required by the student's IEP, and for compliance with applicable state testing and assessment requirements under 4 AAC 06.710 - 4 AAC 06.790.</p> <p>(b) An enrolling district shall ensure that all special education students [ENROLLED IN THE DISTRICT'S STATEWIDE CORRESPONDENCE STUDY PROGRAM] are identified and</p>	<p>(b) remains the same.</p>	<p>The new language in (a) clarifies that an individualized cooperative agreement is required with the district of residence for children with disabilities if the student in enrolling less than 100% of the time in the Statewide Correspondence Program.</p>

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<p>statewide correspondence study program are identified and located for the purpose of establishing their need for special education and related services.</p>	<p>located for the purpose of establishing their need for special education and related services <b><u>and that all provisions of 4 AAC 52 are met. For a special education student enrolled in the district's statewide correspondence study program, and for whom an individualized cooperative agreement is not required under 4 AAC 33.432(a), the enrolling district shall ensure that the requirements of 4 AAC 33.432(c)(5) are met.</u></b></p>		
<p>(c) An individualized cooperative agreement for each special education student must include, at a minimum, the following information:</p>	<p>(c) <b><u>When an</u></b> [AN] individualized cooperative agreement for <b><u>a</u></b> [EACH] special education student <b><u>is required by (a) of this section, the agreement</u></b> must include, at a minimum, the following information:</p>	<p>(c) remains the same.</p>	<p>New language in (b) clarifies what is required for serving a special education student, including one who doesn't require an individualized cooperative agreement. The result of the proposed regulations is that districts serving correspondence students have the same requirements to meet the needs of students with disabilities as do districts serving students in site-based programs.</p>
<p>(1) the name, address, telephone number, and social security number of the student;</p>	<p>(1) the name, address, telephone number, and social security number of the student;</p>	<p>(1) remains the same.</p>	
<p>(2) an allocation of each student's state funding calculated in accordance with the provisions of 4 AAC 33.430(h);</p>	<p>(2) an allocation of each student's state funding calculated in accordance with the provisions of 4 AAC 33.430(h) ;</p>	<p>(2) remains the same.</p>	
<p>(3) the name, address, and telephone number of the private</p>	<p>(3) the name, address, and telephone number of the private provider or</p>	<p>(3) remains the same.</p>	<p>The new, opening language in (c)</p>

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<p>provider or school district designated by the enrolling district to provide special education and related services to the student, if applicable, and the signature of a person authorized by the designated provider to agree to the provision of those services;</p> <p>(4) the plan for receipt and disbursement of funds for the benefit of a student receiving special education and related services;</p> <p>(5) the plan of services to be provided to the student, the identification of the members of the IEP team from each district in which the student is enrolled, if applicable under 4 AAC 52.140, and a description of the manner in which each teacher who works with the student in the enrolling district will participate as a member of the IEP team for each student; the plan and the cooperative agreement must include the identification of each student in a manner that complies with the confidentiality requirements of 4 AAC 52.220.</p>	<p>school district designated by the enrolling district to provide special education and related services to the student, if applicable, and the signature of a person authorized by the designated provider to agree to the provision of those services;</p> <p>(4) the plan for receipt and disbursement of funds for the benefit of a student receiving special education and related services;</p> <p>(5) the plan of services to be provided to the student, the identification of the members of the IEP team from each district in which the student is enrolled, if applicable under 4 AAC 52.140, and a description of the manner in which each teacher who works with the student in the enrolling district will participate as a member of the IEP team for each student; the plan and the cooperative agreement must include the identification of each student in a manner that complies with the confidentiality requirements of 4 AAC 52.220</p> <p>(d) Repealed 6/15/2000.</p> <p>(e) Repealed 6/15/2000.</p>	<p>(4) remains the same.</p> <p>(5) remains the same.</p> <p>(d) remains the same.</p> <p>(e) remains the same.</p>	<p>is a lead in for what information must be in an individualized cooperative agreement for a child with disabilities, when an agreement is required. The required information has not changed.</p>

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<p>(d) Repealed 6/15/2000.</p> <p>(e) Repealed 6/15/2000.</p> <p>(f) For purposes of this section, the department will consider Alyeska Central School to be an enrolling district. Alyeska Central School shall enter into an individualized cooperative agreement with the district of residence for each student whom Alyeska Central School enrolls.</p> <p>(Eff. 5/1/99, Register 150; am 6/15/2000, Register 154)</p> <p>Authority: AS 14.07.020, AS 14.07.030, AS 14.07.060, AS 14.08.101, AS 14.14.110, AS 14.17.430, AS 14.30.010, AS 14.30.186</p>	<p>(f) For purposes of this section, the department will consider Alyeska Central School to be an enrolling district. [ALYESKA CENTRAL SCHOOL SHALL ENTER INTO AN INDIVIDUALIZED COOPERATIVE AGREEMENT WITH THE DISTRICT OF RESIDENCE FOR EACH STUDENT WHOM ALYESKA CENTRAL SCHOOL ENROLLS.]</p> <p><u>(g) Students for whom the statewide correspondence program will provide a portion or all of the special education and related services may provide the services to the student prior to the individualized cooperative agreement being finalized.</u></p> <p>(Eff. 5/1/99, Register 150; am 6/15/2000, Register 154; am ___/___/___, Register ___)</p> <p>Authority: AS 14.07.020 AS 14.07.030 AS 14.07.060 AS 14.08.101 AS 14.14.110 AS 14.17.430 AS 14.30.010 AS 14.30.186</p>	<p>(f) remains the same.</p> <p>(g) remains the same.</p>	<p>(f) identifies Alyeska Central School as an enrolling district. The deletion removes the requirement for Alyeska Central School to enter into individualized cooperative agreements with the district of residence for each student enrolled.</p>

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<p><b>4 AAC 33.440. REPORTING REQUIREMENTS: CORRESPONDENCE AND PART-TIME STUDENTS.(a)</b> Each enrolling district shall transmit a report containing the following information to the department along with the student count period information required by AS 14.17.600:</p> <p>(1) the number of out-of-district students enrolled in the district's statewide correspondence study program, by district of residence;</p> <p>(2) the name, address, telephone number, and social security number of each student enrolled part-time in the district's statewide correspondence study program, and the percentage of full-time equivalency assigned to that student.</p> <p>(b) Districts of residence shall report the following information to the department at the same time that the student count period information is required by AS</p>	<p>4 AAC 33.440 is amended to read</p> <p><b>4 AAC 33.440. REPORTING REQUIREMENTS: CORRESPONDENCE AND PART-TIME STUDENTS. (a)</b> Each enrolling district shall transmit a report containing the following information to the department along with the student count period information required by AS 14.17.600 :</p> <p>(1) the number of out-of-district students enrolled in the district's statewide correspondence study program, by district of residence;</p> <p>(2) the name, address, telephone number, and social security number of each student enrolled part-time in the district's statewide correspondence study program, and the percentage of full-time equivalency assigned to that student.</p> <p>(b) Districts of residence shall report the following information to the department at the same time that the student count period information is required by AS 14.17.600:</p>	<p>All sections of 4 AAC 33.440 remain the same.</p> <p>(a) remains the same.</p> <p>(1) remains the same.</p> <p>(2) remains the same.</p> <p>(b) remains the same.</p>	<p>(g) is a new subsection that allows Statewide Correspondence Programs to provide services to children with disabilities prior to an individualized cooperative agreement being finalized. This will ensure that the student is not kept waiting for educational and related services while the program paperwork is being processed and finalized.</p>

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<p>14.17.600:</p> <p>(1) the name, address, telephone number, and social security number of each student enrolled part time in the district, and the percentage of full-time equivalency assigned to that student;</p> <p>(2) the name of each enrolling district with which the district of residence has entered into a cooperative agreement, and the number of students covered by that cooperative agreement;</p> <p>(3) the amount of funds received as reimbursement or payment from each enrolling district with which the district of residence has entered into a cooperative agreement.</p> <p>(c) A district shall make a report required under this section in an electronic or other format, as required by the department. The department will use the reported information to ensure that no student is counted as more than one full-time equivalent.</p> <p>(Eff. 5/1/99, Register 150)</p>	<p>(1) the name, address, telephone number, and social security number of each student enrolled part time in the district, and the percentage of full-time equivalency assigned to that student;</p> <p>(2) the name of each enrolling district with which the district of residence has entered into a cooperative agreement [, AND THE NUMBER OF STUDENTS COVERED BY THAT COOPERATIVE AGREEMENT];</p> <p>(3) the amount of funds received as reimbursement or payment from each enrolling district with which the district of residence has entered into a cooperative agreement.</p> <p>(c) A district shall make a report required under this section in an electronic or other format, as required by the department. The department will use the reported information to ensure that no student is counted as more than one full-time equivalent.</p> <p>(Eff. 5/1/99, Register 150)</p> <p>Authority: AS 14.07.020 AS 14.07.030 AS 14.07.060 AS</p>	<p>(1) remains the same.</p> <p>(2) remains the same.</p> <p>(3) remains the same.</p> <p>(c) remains the same.</p>	<p>This continues current practice.</p> <p>Deleted language in (2) reflects there is no need to report the number of students covered by the cooperative agreement.</p>



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	<p>compliance with the requirements of this chapter and with assurances given upon application for program approval.</p> <p>(b) Upon request by the department, the district shall provide</p> <p>(1) a list of all students enrolled in the statewide correspondence program, including each student's name, age, entry date, exit date, whether the student has a disability category, whether the student receives intensive services, or related services;</p> <p>(2) a list of all administrators, teachers, teachers aides, and related services personnel who provide special education services in the district, including, for certificated staff, the teacher certificate numbers; and</p> <p>(3) any other information required by the department.</p> <p>(Eff. __/__/__, Register __)</p> <p>Authority: AS 14.07.020 AS                      14.07.030 AS 14.07.060 AS                      14.07.170AS 14.17.430</p> <p>4 AAC 33.490 is amended to read</p>		

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<p><b>4 AAC 33.490. DEFINITIONS.</b> In 4 AAC 33.410 - 4 AAC 33.490,</p> <p>(1) "Alyeska Central School" means the centralized correspondence study program operated by the department;</p> <p>(2) "board" means the state Board of Education;</p> <p>(3) "cooperative agreement" means a contract that is entered into by an enrolling district and a district of residence in conformance with 4 AAC 33.430 or 4 AAC 33.432;</p> <p>(4) "department" means the Department of Education and Early Development;</p> <p>(5) "district" means a city or borough school district or a regional educational attendance area;</p> <p>(6) "district of residence" means the school district in which a student is a resident;</p>	<p><b>4 AAC 33.490. DEFINITIONS.</b> In 4 AAC 33.410 – 4 AAC 33.490,</p> <p>(1) "Alyeska Central School" means the centralized correspondence study program operated by the department;</p> <p>(2) "board" means the state Board of Education;</p> <p>(3) "cooperative agreement" means a contract that is entered into by an enrolling district and a district of residence in conformance with [4 AAC 33.430 OR] 4 AAC 33.432;</p> <p>(4) "department" means the Department of Education and Early Development;</p> <p>(5) "district" means a city or borough school district or a regional educational attendance area;</p> <p>(6) "district of residence" means the school district in which a student is a resident;</p> <p>(7) "enrolling district" means the school district that is operating an approved statewide correspondence</p>	<p>(1) remains the same.</p> <p>(2) remains the same.</p> <p>(3) remains the same.</p> <p>(4) remains the same.</p> <p>(5) remains the same.</p> <p>(6) remains the same.</p> <p>(7) remains the same.</p>	<p>Deleted language in (3) removes a regulatory citation that is incorrect.</p>

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<p>(7) "enrolling district" means the school district that is operating an approved statewide correspondence study program, including a program established under AS 14.03.250 - AS 14.03.290, and that seeks or intends to enroll out-of-district students in that district's program;</p> <p>(8) "IEP" means in individualized education program established under the provisions of 4 AAC 52.140 that meets the requirements of AS 14.30.186 and 14.30.278;</p> <p>(9) "out-of-district student" means a student who seeks to enroll in a district in which they do not reside;</p> <p>(10) "special education student" means a student who is entitled to special education and related services under AS 14.30.180 - 14.30.350 and 4 AAC 52.010 - 4 AAC 52.990;</p> <p>(11) "statewide correspondence study program" means any educational program, including a charter school program or a state supported home-schooling</p>	<p>study program, including a program established under AS 14.03.250 - AS 14.03.290 , and that seeks or intends to enroll out-of-district students in that district's program;</p> <p>(8) "IEP" means in individualized education program established under the provisions of 4 AAC 52.140 that meets the requirements of AS 14.30.186 and 14.30.278;</p> <p>(9) "out-of-district student" means a student who seeks to enroll in a district in which they do not reside;</p> <p>(10) "special education student" means a student who is entitled to special education and related services under AS 14.30.180 - 14.30.350 and 4 AAC 52.010 - 4 AAC 52.990;</p> <p>(11) "statewide correspondence study program" means any educational program, including a charter school program or a state supported home-schooling program, that provides</p>	<p>(8) remains the same.</p> <p>(9) remains the same.</p> <p>(10) remains the same.</p> <p>(11) "statewide correspondence study program" means any educational program, including a charter school program [OR A STATE SUPPORTED HOME-SCHOOLING PROGRAM], that [PROVIDES]</p>	<p>Wording and formatting changes are intended to clarify and do not change the intent.</p>

Side by Side Comparison of Old and New Chapter 33 Special Schools

Old Language	November 2001 Language	April 2002 Language	Effect/Rationale
<p>program, that provides</p> <p>(A) for each secondary course, less than three hours per week of scheduled face-to-face interaction, in the same location, between a teacher certificated under AS 14.20.020 and the class;</p> <p>(B) for elementary students, less than 15 hours per week of scheduled face-to-face interaction, in the same location, between a teacher certificated under AS 14.20.020 and each full-time equivalent elementary student.</p> <p>(Eff. 5/1/99, Register 150; am 6/15/2000, Register 154; am 12/2/2000, Register 156)</p> <p>Authority: AS 14.03.040 AS 14.07.020 AS 14.07.030 AS 14.07.060, AS 4.14.110 AS 14.17.430, AS 14.20.010 AS 14.30.010 AS 14.30.186</p>	<p>(A) for each secondary course, less than three hours per week of scheduled face-to-face interaction, in the same location, between a teacher certificated under AS 14.20.020 and the class;</p> <p>(B) for elementary students, less than 15 hours per week of scheduled face-to-face interaction, in the same location, between a teacher certificated under AS 14.20.020 and each full-time equivalent elementary student.</p> <p>(Eff. 5/1/99, Register 150; am 6/15/2000, Register 154; am 12/2/2000, Register 156)</p> <p>Authority: AS 14.03.040 AS 14.07.020 AS 14.07.030, AS 14.07.060, AS 4.14.110 AS 14.17.430, AS 14.20.010, AS 4.30.010 AS 14.30.186</p> <p>Editor's note: As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125(b)(6) to reflect the</p>	<p><u>(A) enrolls out-of-district students;</u></p> <p><u>(B) [(A)] provides</u> for each secondary course, less than three hours per week of scheduled face-to-face interaction, in the same location, between a teacher certificated under AS 14.20.020 and the class; <u>and</u></p> <p><u>(C) [(B)] provides</u> for elementary students, less than 15 hours per week of scheduled face-to-face interaction, in the same location, between a teacher certificated under AS 14.20.020 and each full-time equivalent elementary student.</p> <p>(Eff. 5/1/99, Register 150; am 6/15/2000, Register 154; am 12/2/2000, Register 156)</p> <p>Authority: AS 14.03.040 AS 14.07.020 AS 14.07.030, AS 14.07.060, AS 4.14.110 AS 14.17.430, AS 14.20.010, AS 4.30.010 AS 14.30.186</p> <p>Editor's note: As of Register 151 (October 1999), the regulations attorney</p>	<p>(A) clarifies that statewide correspondence programs are those that enroll out-of-district students.</p> <p>(B) and (C) contain the language that was in (A) and (B) in the regulations proposed in November 2001.</p>

**Side by Side Comparison of Old and New Chapter 33 Special Schools**

<b>Old Language</b>	<b>November 2001 Language</b>	<b>April 2002 Language</b>	<b>Effect/Rationale</b>
	name change of the Department of Education to the Department of Education and Early Development made by ch. 58, SLA 1999, and the corresponding title change of the commissioner of education	made technical revisions under AS 44.62.125(b)(6) to reflect the name change of the Department of Education to the Department of Education and Early Development made by ch. 58, SLA 1999, and the corresponding title change of the commissioner of education	

**Issues and Possible Remedies for Consideration by the  
Administrative Regulation Review Committee  
Regarding DEED's Proposed Correspondence Program Regulations  
By Joan Dangel March 20, 2002**

In addition to the two bills that are out (SB 346/HB 464) to try and remedy the curriculum and purchasing management, I feel the following must be additionally considered due to the detrimental effects on correspondence programs and children in village Alaska.

I would like to draw your attention to the following issues and suggestions (bolded):

- x. Must provide that the governing body conducting the correspondence program has the duty and authority to establish procedures for
  - a. the purchase and use of correspondence curriculum materials purchased by the school district or Alyeska Central School, as applicable;
  - b. approving or disapproving home-designed courses; and
  - c. the evaluation of student work.
  - d. considering standard or 'normal' allowances for failure to take statewide student assessment tests.**

*(d) has to do with DEED proposed reg 14 AAC 33.450 to instantly remove a student from the correspondence program for failure to participate in state mandated assessment tests, and disallowing re-enrollment in any statewide correspondence program for the following year. This only applies to statewide correspondence programs and is probably not a good thing to do as much of rural Alaska only has correspondence school - so why kick them out? At the very least, there should be a pattern of non-compliance for the correspondence program to feel concern - for example, refusing to take the test two years in a row. It is not specified, normal excuses should be allowable (sick, out of state, vacation). An agreement to send kids to standardized tests is already a part of the correspondence enrollment packets. Maybe they could include wording like "standard allowances would apply for failure to take the test" or "normal allowances will be considered." Alternate test dates are a must if enrollment and re-enrollment is to be denied for failing to take a test. Also, is this unfairly effectively disallowing a family independently homeschooling to enroll in a correspondence school for failure to participate in state mandated assessment tests? (\*)*

- x. **"The district must require**
  - a. enrolled students to participate in the statewide student assessment program as required by 4 AAC 06.710 - 4 AAC 06.790 and must inform parents of state testing requirements.**

*(x)(a) has to do with DEED proposed reg 14 AAC 33.421(f)(3) and was taken from IDEA's comments on how to counteract having to report if students taking the tests must be within 10% of the state average although correspondence school Benchmark scores have a consistent record of being normal. This proposed regulation unfairly singles out correspondence schools and does not apply to any other kind of school. Often areas of rural Alaska only have correspondence school, why would this singled out way of reporting be mandated?*

*(\*)4 AAC 33.450. Failure to participate in state mandated assessment tests. (a) If a student fails to participate in a state mandated test the student will be ineligible for enrollment in the statewide correspondence program and denied enrollment in any other statewide correspondence program, for the following year, unless the district of enrollment has excused the student from the state mandated assessment.*

*Joan Dangel, Academic In-Home Educator for my son, Quia*

Joan Dangel; Box 34711; Juneau, AK 99803-4711 790-7265 starttraveller@gci.net

**Subject: DEED re-drafts - Correspondence Schools**

**Date: Tue, 2 Apr 2002 02:26:02 -0900**

**From: "Star Traveler" <startraveler@gci.net>**

**To: <;>**

Dear Senator Lyda Green, Senator Leman, Senator Taylor, Senator Jerry Ward, Representative Jeannette James and Representative Fred Dyson, Representative Vic Kohring,

This is Joan Dangeli of Juneau. I want to thank each and everyone of you individually for your help on the ill intended proposed correspondence regulations by the DEED. I am sending you some of the correspondence today between our principal at CyberLynx and I, in which he says that DEED is saying something like deals are off if we ask for anything more then they put in the redrafts. I am upset with that because they are making deals behind closed doors with correspondence schools being told that to ask for more changes, even if they are appropriate, is that 'some deal' is off, by that I believe DEED means, any compromise they've made so far is off if anything more then they already compromised is asked for. *I do not like this as a parent that is not employed by the correspondence schools, but would like to be heard and understood from a parent's standpoint that if there are needed changes to the better a parent sees, they be respected but not shoved aside due to some prior deal made with a correspondence school.* I had asked about the monthly contact thing because DEED wants quarterly school work reviewed, which I'm okay with -but they want to additionally mandate monthly contact also. I feel more responsible parents, that home school because they are responsible, do not need such restrictions put upon them in addition to the quarterly reviews - I think it is un-necessarily too much, but think its reasonable that if a school advisor feels more contact is necessary, that it be at her discretion for more loosely ran families that need to show more progress. I travel too and that has been some of the beauty of homeschooling, is the freedom to not be glued down. But, there is more to the monthly issue below, and comments about DEED making threats that the 'deal is off' if we ask for anything more, even before the April 3rd hearing has begun, makes me trust them even less. Each thing they do diminishes any faith they understand 'best interest'. In an effort to help you understand one area that seems to be a current sticking point with DEED's status and ours, I thought I would send you some correspondence of the last couple days as a sort of lead in as we near the 3rd, about parents at the table being left out of behind closed doors between DEED and correspondence schools under a threat of 'any more asked for - the deal's off' by DEED before the hearings even began. I don't like things happening like this to us. Please excuse the raw form of conversation taking place in the things below.

----- Original Message -----

From: Thomas Klever

To: Star Traveler (Joan Dangeli)

Sent: Monday, April 01, 2002 3:41 PM

Subject: Change of Plans

The new principal is going to go to Juneau instead of me. That will give him a chance to get his feet wet and to meet the movers and shakers. I will have him contact you if that is okay. .... **Jim Foster told me that if they make changes to what has been written then the deal is off.** .....Let me know what you think.  
-Tom

----- Original Message -----

From: Star Traveler (Joan Dangeli)

To: Thomas Klever

Sent: Tuesday, April 02, 2002 1:06 AM

Subject: DEED re-drafts - Corrections

I think there is some misunderstanding regarding DEED's amending any proposed regs at all. In ways, I feel concerns parents may have are being shut out by behind closed doors deals being made that if anything more is asked for, even if it is appropriate to ask for it, 'the whole deal is off' regarding DEED abiding by the legislature's wishes to not be punitive or bias towards home school correspondence programs. I realize DEED is doing some strides in the right direction - that being said the following remarks

based on only the changes we've been notified of. I have only received the redraft today for the first time, so will be going over this tomorrow and the next day.

I haven't gotten to go through the proposed regs redraft at all because I got the complete version only today (April 1, Monday). But, I feel I can be supportive of the changes I'm currently aware of (I'll have to read the redraft tomorrow though), with the exception of the monthly contact due to **how many students there are, and I feel it is overkill**. Quarterly seems adequate and seems to make real good sense. Each month, that means **two thousand students are to be contacted and the next month, and the next**, when I feel the correspondence schools are responsible enough to have it at their discretion that if they feel someone needs to be contacted more than quarterly, they will. I think the whole intent of the regs was clear that they were intended to make the open statement in stone that correspondence programs are not responsible and need to be restricted and babysat tightly - even though they've done nothing terribly harmful or wrong. I think the reg should be written that quarterly contact is required, but that it can be a local authority to establish procedures for more frequent contacts if found necessary. I feel bad in this process continuously that DEED has been in the front making deals with IDEA, and DEED has used that to continue without the input of parents not actually employed by the correspondence schools involved and I said that at our last public hearing with them - to involve the parents too in their bargaining and deal making, not just IDEA. Everyone is giving go aheads and okays to DEED and I had to bring several things to everyone's attention here about the proposed regs at the capitol, even while we were in meetings to write language in the bills, regs that were being forgotten but seriously needed to be addressed. Consequently, they would get addressed and it kind of pained me that if I hadn't been there certain aspects of the proposed regs weren't coming up at all - even though some of them unaddressed were critical, negative changes to correspondence schools and families. So, it is a very important thing to say everything is okay prematurely. I have not read everything yet in the redraft, I will do that tomorrow and the next day but I just want everyone to be very certain of giving go aheads after thorough reassessment.

I have to say, I think that DEED is obviously being misleading to IDEA about the wording below that the 'deal is off.' This sounds like a threat DEED really has no say in - you haven't heard what the legislature is saying about these clowns - it is clear DEED did not stand a chance in hell of getting anything because the legislature was about to take everything from them - that is the ONLY reason they're bargaining with anyone currently. The legislature in the last meeting on television with us, made it very clear to DEED in certain and specific terms, they are watching this issue very closely and have a 'vested' interest in DEED's promises to work with the public after attempting to force the correspondence programs to abide by the not yet enacted regs and showing instability within the regs themselves.

The 'deal' DEED seems to think 'they' are striking, was already involved in a process at the legislature to take their proposed regs away piece by piece ENTIRELY as each new segregated thing towards the correspondence schools was being brought to the legislature's attention. The House Reps and Senators involved have said, they have two bills awaiting the 'promise' of DEED to meet the public's needs, or their deal to hold the bills is OFF and they move both bills again. The Senate side made some things known that they were possibly only going to have one committee hear SB 346 (Senate HESS Committee) - it was possibly going straight to the Senate floor after the Senate HESS hearings were complete in their forming the bill (there was a time limit then). It was only the house's version of the same bill that was in trouble (Bunde?). We were told the Senate may have ways to get what it needed done so it'd maybe be okay if the House side failed, and with this Senate bill there seemed to be overwhelming support.

Do you know DEED threw the legislature into a state of surprise and then anger at DEED about what they were trying to do because, Senator Lyda Green told us, a majority of the legislature for many years has been very supportive of home schooling in this state. They are only bargaining with anyone because the pressure of the legislature's undivided attention FORCED them to - it was that DEED was to back off or possibly lose their authority entirely was the next proposed move if the DEED could not be trusted to be sane and level headed about what they were doing singling out the correspondence programs for undue restrictions. Remember, it was only a couple months ago, Sept. 21st, they asked CyberLynx to comply with their wishes by September 28th. I think it needs to be clear **the administrative costs and time involved with 2000 contacts per month - when does our advisor now have time to help us with education resources and 'advice.'** They are also going to have to 'document' those 2000 contacts per month - the paper work is up

*in the thousands for such an auditable record. I'm not sure it should be pushed off onto the schools without looking at what it is really doing. Does this mean CyberLynx must fly down each and every month? Does it mean emails as monthly contacts are excluded, emails are a cost effective method, on and on, sounds like a lot of money and time. Kathy Vander Zwaag said she feels **most families are genuinely very intelligent and very independent, that is why they home school** - others, a few, she feels she needs to contact more. See, she's responsible, **it is at her discretion currently to do so, under the new regs it would be overkill.** Quarterly contacts are more peaceful for mature families. I contact our advisor numerous times with questions voluntarily but **I think it is alot to start drilling us every month**, a little paranoid and anal retentive on Ed McClain's part - he seems so schizo to me - do we serve his paranoid needs or try for something that is sensible and actually fairly naturally spaced in time to everyone - quarterly contacts are a really great well-rounded frame I feel. I would hope our new principal would be able to give this some thought before folding for what is misleadingly being pointed out as a 'deal being off' if we don't let the other things go - even if 'other' things do make more sense.*

Do you know why they're saying the deal is off if anyone feels they need something else more sensibly finished? Because it seems there is a cover, as a form of an admission by DEED of total defeat, if they change anything more for others - even if other things are changes for the better. The negative purposes behind the regs were discovered, they were defeated, DEED did a retreat in the face of great legislative and public pressure. DEED's retreat was the only way to help them appear honorable in someone's eyes because they were SO defeated - they had to change the original destructive intent with themselves in the public eye, so they would not have to openly admit that the regs were bias and very covertly done to bring undue difficulty and hardship to others as they were. They have hardly a playing card to stand on right now - it is a baseless cowards threat as far as I'm concerned. I really dislike the agency after this knowledge of them. I don't trust them.

I just got very angry at this bunch after I saw what they were really made of - their power tripping for monopoly and believe it well, the more they are given on that door they're pushing on, the more DEED is going to get - they've only just begun - the first 'real progress' breaking down the great home schools is what they feel in their heart they've accomplished after their proposed regs are enacted. The beginning foundation is laid to screw everyone even better every chance they get - they will be back to re-amend each year, adding more as they can chip away at the stone. They want some reg, any reg, to break the barrier and have their first real 'correspondence regulating section' created and enacted as their new foundation. In their head, they've succeeded if they end up getting to make any reg on the correspondence schools, as they're championed the new beginning of the end of great home schooling if they have any say about it.

*Star Traveler <startraveler@gci.net> wrote:*

I am picking up my first copy of the redraft today and wondered what you thought of it. Of the only parts Kathy Vander Zwaag (our school advisor) sent via email, I felt DEED is asking too much in a monthly contact, and should leave anything more then a quarterly contact up to the correspondence school, where there are parents even Kathy feels may need more periodic calls. Others, she feels, do not need this type of restrictive supervision.

*I feel DEED is attempting to mandate far too much in 'monthly' contact because: it is obligating the correspondence programs to contact 2 thousand people per month, what else will they do if only having time for that? That is an unreasonable expectation, without funding and placing for you an entire person to do this job, and it is additionally annoying when you are homeschooling very well independently. But the option for the families an advisor feels may need more contact, should be left up to the correspondence school's discretion, not up to the dictative of an unrealistic expectation.*

I think the regs are going at things with a view that correspondence schools

are not responsible so need 'regs,' when that is not true. Our own advisor and Chuck Higney said there are a couple instances, not a lot, where there are families they feel need to be checked on more often.... ***so, there was some responsible concern and action taken already on the part of correspondence schools, without having to ruin the home school experience for everyone.***

I think it is good to have a rep from our school right out there stating position and helping the school and families maintain their Alaskan freedoms - I feel DEED is trying to chip away at ruining many things in Alaska in correspondence, and the spec ed proposed regs . . . my opinion is DEED is kind of a nightmare always to be aware of their encroachment.

Talk to you later. although my name is Joan my friends call me by my last name: Dangel. That is pronounced Dan-ja-lee.

AMENDMENT

OFFERED IN THE SENATE  
TO CSSB 346( ) (22-LS1622\C)

Post-It® Fax Note	7671	Date	4/15	# of pages	3
To	J. Compton	From	T. Compton		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	3805	Fax #			

✓ Page 1, lines 9-12

Delete all material and insert:

“(1) shall specify that once the department has approved an initial statewide correspondence program application, the district will not be required to submit a new application

(A) more frequently than every five years if the program is designated as distinguished or successful under AS 14.03.123(a); or

(B) more frequently than every ten years if the program is designated as distinguished or successful under AS 14.03.123(a), and the program is accredited by the Northwest Association of Schools and Colleges.”

Page 1, lines 13, following “monitored”:

✓ Delete “at periodic intervals as established by the school district”

Insert “by a certified teacher; the monitoring must include at least monthly student-teacher or teacher-parent contact, and quarterly review of the student’s work or progress in the Individual Learning Plan;”

✓ Page 2, line 4, following “the”

Delete “purchase”

Insert “review, selection,”

Page 2, line 5, following "materials"



Delete "purchased by the school district or Alyeska Central School"

Insert "before they are introduced into the correspondence curriculum"

Page 2, line 8 following "work"



Insert "by certified teachers"

Page 2, line 9

Delete all material.

Page 1, line 5, following "study"

Delete "(a)"

Page 2, line 9:

Insert a new bill section to read:



\*\*Sec. 2. AS 14.07.050 is amended to read:

**Sec. 14.07.050. Selection of textbooks.** Textbooks for use in the public schools of the state, including a district offered statewide correspondence study program, shall be selected by district boards for district schools.

Page 2, line 7:

Insert a new bill section to read:



\*\*Sec. 3. AS 14.08.111(9) is amended to read:

(9) establish procedures for the review and selection of all textbooks and instructional materials including textbooks and curriculum materials for statewide correspondence programs before they are introduced into the school curriculum; the review

includes a review for violations of AS 14.18.060;

Page 2, line 7:

Insert a new bill section to read:

✓ **\*\*Sec. 4. AS 14.14.090(7) is amended to read:**

(9) establish procedures for the review and selection of all textbooks and instructional materials including textbooks and curriculum materials for statewide correspondence programs before they are introduced into the school curriculum; the review includes a review for violations of AS 14.18.060;

District Name	Participation Rate	Proficient
Pribilof Schools	133.3%	less than 10%
Mt. Edgecumbe High School	132.6%	42.4%
Unalaska City Schools	112.0%	57.1%
Yakutat City Schools	107.7%	28.6%
Kuspuk School District	105.9%	22.2%
Cordova City Schools	100.0%	62.2%
Skagway City Schools	100.0%	50.0%
Klawock City Schools	100.0%	42.9%
Take City Schools	100.0%	15.0%
Yukon/Koyukuk Schools	100.0%	less than 10%
Annette Island Schools	100.0%	less than 10%
Valdez City Schools	96.9%	67.7%
Petersburg City Schools	96.0%	50.0%
Wrangell City Schools	92.1%	37.1%
Craig City Schools	92.1%	31.4%
Southwest Region Schools	90.3%	25.0%
Anchorage Schools	90.3%	46.5%
Chatham Schools	88.9%	31.3%
Kenai Peninsula Borough Schools	88.3%	53.4%
Bristol Bay Borough Schools	86.7%	76.9%
Fairbanks North Star Borough Schools	86.6%	43.1%
Sitka Borough Schools	86.4%	55.1%
Kodiak Island Borough Schools	86.0%	35.0%
Kashunamiut Schools	85.7%	less than 10%
<b>STATEWIDE</b>	<b>85.5%</b>	<b>44.0%</b>
Mat-Su Borough Schools	84.5%	49.3%
Hoonah City Schools	84.2%	37.5%
Iditarod Area Schools	82.1%	30.4%
Haines Borough Schools	82.1%	65.6%
Alaska Gateway Schools	81.3%	50.0%
Juneau Borough Schools	81.2%	56.8%
Ketchikan Gateway Borough Schools	80.4%	47.4%
Lower Kuskokwim Schools	79.8%	12.0%
Denali Borough Schools	78.9%	53.3%
North Slope Borough Schools	78.3%	19.3%
Copper River Schools	78.0%	59.0%
Dillingham City Schools	78.0%	30.8%
Nome City Schools	77.8%	32.1%
Delta/Greely Schools	76.9%	48.8%
Lake & Peninsula Borough Schools	75.7%	10.7%
Aleutian Region Schools	75.0%	16.7%
Tanana Schools	75.0%	16.7%
Northwest Arctic Borough Schools	72.0%	10.6%
Hydaburg City Schools	71.4%	less than 10%
Galena City Schools	71.4%	30.3%
Yukon Flats Schools	68.8%	less than 10%
Bering Strait Schools	67.6%	20.3%
Southeast Island Schools	61.5%	37.5%
Lower Yukon Schools	59.6%	less than 10%
Nenana City Schools	59.5%	31.8%
Chugach Schools	53.8%	71.4%
Yupit Schools	51.4%	less than 10%
Aleutians East Borough Schools	47.6%	10.0%
Saint Mary's Schools	45.5%	less than 10%
Alyeska Central School	35.5%	35.9%

Please note: Participation rate may exceed 100% if a district has experienced increased enrollment between the October count and the spring testing date.

District Name	Participation Rate	Proficient
Bristol Bay Borough Schools	86.7%	76.9%
Chugach Schools	53.8%	71.4%
Valdez City Schools	96.9%	67.7%
Haines Borough Schools	82.1%	65.6%
Cordova City Schools	100.0%	62.2%
Copper River Schools	78.0%	59.0%
Unalaska City Schools	112.0%	57.1%
Juneau Borough Schools	81.2%	56.8%
Sitka Borough Schools	86.4%	55.1%
Kenai Peninsula Borough Schools	88.3%	53.4%
Denali Borough Schools	78.0%	53.3%
Skagway City Schools	100.0%	50.0%
Petersburg City Schools	96.0%	50.0%
Alaska Gateway Schools	81.3%	50.0%
Mat-Su Borough Schools	84.5%	49.3%
Delta/Greely Schools	76.9%	48.8%
Ketchikan Gateway Borough Schools	80.4%	47.4%
Anchorage Schools	90.3%	46.5%
<b>STATEWIDE</b>	<b>85.5%</b>	<b>44.0%</b>
Fairbanks North Star Borough Schools	86.6%	43.1%
Klawock City Schools	100.0%	42.9%
Mt. Edgecumbe High School	132.6%	42.4%
Hoonah City Schools	84.2%	37.5%
Southeast Island Schools	61.5%	37.5%
Wrangell City Schools	92.1%	37.1%
Alyeska Central School	35.5%	35.9%
Kodiak Island Borough Schools	86.0%	35.0%
Nome City Schools	77.8%	32.1%
Nenana City Schools	59.5%	31.8%
Craig City Schools	92.1%	31.4%
Chaltham Schools	88.9%	31.3%
Dillingham City Schools	78.0%	30.8%
Iditarod Area Schools	82.1%	30.4%
Galena City Schools	71.4%	30.3%
Yakutat City Schools	107.7%	28.6%
Southwest Region Schools	90.3%	25.0%
Kuspuk School District	105.9%	22.2%
Bering Strait Schools	67.6%	20.3%
North Slope Borough Schools	78.3%	19.3%
Aleutian Region Schools	75.0%	16.7%
Tanana Schools	75.0%	16.7%
Kake City Schools	100.0%	15.0%
Lower Kuskokwim Schools	79.8%	12.0%
Lake & Peninsula Borough Schools	75.7%	10.7%
Northwest Arctic Borough Schools	72.0%	10.6%
Aleutians East Borough Schools	47.6%	10.0%
Lower Yukon Schools	59.6%	less than 10%
Pribilof Schools	133.3%	less than 10%
Yukon/Koyukuk Schools	100.0%	less than 10%
Annette Island Schools	100.0%	less than 10%
Kashunamiut Schools	85.7%	less than 10%
Hydaburg City Schools	71.4%	less than 10%
Yukon Flats Schools	68.8%	less than 10%
Yupit Schools	51.4%	less than 10%
Saint Mary's Schools	45.5%	less than 10%

Please note: Participation rate may exceed 100% due to increased enrollment between the October count and the spring testing date.

District Name	Participation Rate	Proficient
Pribilof Schools	133.3%	25.0%
Unalaska City Schools	112.0%	82.1%
Skagway City Schools	108.3%	69.2%
Yakutat City Schools	107.7%	78.6%
Wrangell City Schools	105.3%	60.0%
Mt. Edgecumbe High School	104.5%	41.9%
Klawock City Schools	100.0%	50.0%
Yukon/Koyukuk Schools	100.0%	37.5%
Cordova City Schools	97.3%	86.1%
Valdez City Schools	96.9%	88.7%
Petersburg City Schools	96.0%	70.8%
Annette Island Schools	96.0%	29.2%
Kashunamiut Schools	95.2%	less than 10%
Kake City Schools	95.0%	52.6%
Craig City Schools	94.7%	52.8%
Southwest Region Schools	93.5%	27.6%
Bristol Bay Borough Schools	86.7%	92.3%
Kenai Peninsula Borough Schools	86.5%	78.6%
Sitka Borough Schools	86.4%	78.7%
Kodiak Island Borough Schools	85.5%	68.4%
Kuspuk School District	85.3%	27.6%
Fairbanks North Star Borough Schools	84.8%	70.4%
Haines Borough Schools	84.6%	84.8%
Anchorage Schools	84.5%	66.4%
Alaska Gateway Schools	84.4%	44.4%
Hoonah City Schools	84.2%	68.8%
Chatham Schools	83.3%	40.0%
<b>STATEWIDE</b>	<b>82.1%</b>	<b>65.9%</b>
Nome City Schools	81.9%	52.5%
Lake & Peninsula Borough Schools	81.1%	30.0%
Mat-Su Borough Schools	81.0%	74.1%
Ketchikan Gateway Borough Schools	80.4%	63.2%
Juneau Borough Schools	80.3%	74.1%
Denali Borough Schools	78.9%	86.7%
Copper River Schools	76.0%	68.4%
Delta/Greely Schools	75.0%	75.6%
Tanana Schools	75.0%	66.7%
Aleutian Region Schools	75.0%	33.3%
Lower Kuskokwim Schools	74.5%	23.9%
North Slope Borough Schools	73.7%	31.3%
Northwest Arctic Borough Schools	72.0%	25.9%
Galena City Schools	71.9%	70.7%
Iditarod Area Schools	71.4%	55.0%
Hydaburg City Schools	71.4%	40.0%
Dillingham City Schools	70.0%	71.4%
Yukon Flats Schools	68.8%	less than 10%
Bering Strait Schools	63.7%	32.3%
Lower Yukon Schools	63.6%	19.0%
Nenana City Schools	60.4%	70.1%
Southeast Island Schools	53.8%	64.3%
Yupit Schools	48.6%	11.8%
Aleutians East Borough Schools	47.6%	30.0%
Chugach Schools	46.2%	83.3%
Saint Mary's Schools	45.5%	40.0%
Alyeska Central School	27.3%	63.3%

Please note: Participation rate may exceed 100% due to increased enrollment between the October count and the spring testing date.

District Name	Participation Rate	Proficient
Bristol Bay Borough Schools	86.7%	92.3%
Valdez City Schools	96.9%	88.7%
Denali Borough Schools	78.9%	86.7%
Cordova City Schools	97.3%	86.1%
Haines Borough Schools	84.6%	84.8%
Chugach Schools	46.2%	83.3%
Unalaska City Schools	112.0%	82.1%
Sitka Borough Schools	86.4%	78.7%
Yakutat City Schools	107.7%	78.6%
Kenai Peninsula Borough Schools	86.5%	78.6%
Delta/Greely Schools	75.0%	75.6%
Mat-Su Borough Schools	81.0%	74.1%
Juneau Borough Schools	80.3%	74.1%
Dillingham City Schools	70.0%	71.4%
Petersburg City Schools	96.0%	70.8%
Galena City Schools	71.9%	70.7%
Fairbanks North Star Borough Schools	84.8%	70.4%
Nenana City Schools	60.4%	70.1%
Skagway City Schools	108.3%	69.2%
Hoonah City Schools	84.2%	68.8%
Kodiak Island Borough Schools	85.6%	68.4%
Copper River Schools	76.0%	68.4%
Tanana Schools	75.0%	66.7%
Anchorage Schools	84.5%	66.4%
<b>STATEWIDE</b>	<b>82.1%</b>	<b>65.9%</b>
Southeast Island Schools	53.8%	64.3%
Alyeska Central School	27.3%	63.3%
Ketchikan Gateway Borough Schools	80.4%	63.2%
Wrangell City Schools	105.3%	60.0%
Iditarod Area Schools	71.4%	55.0%
Craig City Schools	94.7%	52.8%
Kake City Schools	95.0%	52.6%
Nome City Schools	81.9%	52.5%
Klawock City Schools	100.0%	50.0%
Alaska Gateway Schools	84.4%	44.4%
Mt. Edgecumbe High School	104.5%	41.9%
Chatham Schools	83.3%	40.0%
Hydaburg City Schools	71.4%	40.0%
Saint Mary's Schools	45.5%	40.0%
Yukon/Koyukuk Schools	100.0%	37.5%
Aleutian Region Schools	75.0%	33.3%
Bering Strait Schools	63.7%	32.3%
North Slope Borough Schools	73.7%	31.3%
Lake & Peninsula Borough Schools	81.1%	30.0%
Aleutians East Borough Schools	47.6%	30.0%
Annette Island Schools	96.0%	29.2%
Southwest Region Schools	93.5%	27.6%
Kuspuk School District	85.3%	27.6%
Northwest Arctic Borough Schools	72.0%	25.9%
Pribilof Schools	133.3%	25.0%
Lower Kuskokwim Schools	74.5%	23.9%
Lower Yukon Schools	63.6%	19.0%
Yupit Schools	48.6%	11.8%
Kashunamiut Schools	95.2%	less than 10%
Yukon Flats Schools	68.8%	less than 10%

Please note: Participation rate may exceed 100% due to increased enrollment between the October count and the spring testing date.

District Name	Participation Rate	Proficient
Pribilof Schools	144.4%	30.8%
Mt Edgecumbe High School	115.7%	33.0%
Kuspuk School District	108.8%	less than 10%
Skagway City Schools	108.3%	61.5%
Unalaska City Schools	108.0%	51.9%
Yakutat City Schools	107.7%	28.6%
Cordova City Schools	100.0%	64.9%
Kake City Schools	100.0%	25.0%
Yukon/Koyukuk Schools	100.0%	25.0%
Kashunamiut Schools	100.0%	less than 10%
Valdez City Schools	96.9%	69.4%
Petersburg City Schools	96.0%	54.2%
Annette Island Schools	96.0%	20.8%
Klawock City Schools	92.9%	38.5%
Craig City Schools	92.1%	12.9%
Wrangell City Schools	92.1%	42.9%
Alaska Gateway Schools	90.6%	48.3%
Southwest Region Schools	90.3%	21.4%
Kenai Peninsula Borough Schools	89.7%	52.8%
Anchorage Schools	89.1%	46.5%
Kodiak Island Borough Schools	87.8%	45.8%
Bristol Bay Borough Schools	86.7%	61.5%
Sitka Borough Schools	86.4%	58.3%
Fairbanks North Star Borough Schools	86.3%	50.0%
Mat-Su Borough Schools	85.9%	57.0%
<b>STATEWIDE</b>	<b>85.4%</b>	<b>46.7%</b>
Nome City Schools	84.7%	32.8%
Haines Borough Schools	84.6%	69.7%
Hoonah City Schools	84.2%	43.8%
Ketchikan Gateway Borough Schools	84.1%	50.9%
Chatham Schools	83.3%	26.7%
Juneau Borough Schools	82.5%	53.0%
Lower Kuskokwim Schools	81.3%	13.6%
Lake & Peninsula Borough Schools	81.1%	13.3%
North Slope Borough Schools	78.3%	18.5%
Delta/Greely Schools	76.9%	56.3%
Northwest Arctic Borough Schools	76.3%	16.7%
Copper River Schools	76.0%	55.3%
Dillingham City Schools	76.0%	47.4%
Tanana Schools	75.0%	50.0%
Aleutian Region Schools	75.0%	33.3%
Galena City Schools	72.4%	44.0%
Yukon Flats Schools	71.9%	less than 10%
Hydaburg City Schools	71.4%	less than 10%
Denali Borough Schools	68.4%	69.2%
Bering Strait Schools	67.6%	23.2%
Iditarod Area Schools	64.3%	33.3%
Lower Yukon Schools	63.6%	14.3%
Southeast Island Schools	61.5%	62.5%
Nenana City Schools	61.3%	47.1%
Saint Mary's Schools	54.5%	16.7%
Yupik Schools	51.4%	less than 10%
Aleutians East Borough Schools	47.6%	20.0%
Chugach Schools	46.2%	50.0%
Alyeska Central School	17.3%	68.4%

Please note: Participation rate may exceed 100% due to increased enrollment between the October count and the spring testing date.

District Name	Writing	Proficient
Haines Borough Schools	94.5%	69.7%
Valdez City Schools	96.9%	69.4%
Denali Borough Schools	68.4%	69.2%
Alyeska Central School	17.3%	68.4%
Cordova City Schools	100.0%	64.9%
Southeast Island Schools	61.5%	62.5%
Skagway City Schools	108.3%	61.5%
Bristol Bay Borough Schools	86.7%	61.5%
Sitka Borough Schools	86.4%	58.3%
Mat-Su Borough Schools	85.0%	57.0%
Delta/Greely Schools	76.0%	56.3%
Copper River Schools	76.0%	55.3%
Petersburg City Schools	96.0%	54.2%
Juneau Borough Schools	82.5%	53.0%
Kenai Peninsula Borough Schools	89.7%	52.8%
Unalaska City Schools	108.0%	51.9%
Ketchikan Gateway Borough Schools	84.1%	50.9%
Fairbanks North Star Borough Schools	96.3%	50.0%
Tanana Schools	75.0%	50.0%
Chugach Schools	46.2%	50.0%
Alaska Gateway Schools	90.6%	48.3%
Dillingham City Schools	76.0%	47.4%
Nenana City Schools	61.3%	47.1%
<b>STATEWIDE</b>	<b>85.4%</b>	<b>46.7%</b>
Anchorage Schools	89.1%	46.5%
Kodiak Island Borough Schools	87.8%	45.8%
Galena City Schools	72.4%	44.0%
Hoonah City Schools	84.2%	43.8%
Craig City Schools	92.1%	42.9%
Wrangell City Schools	92.1%	42.9%
Klawock City Schools	92.9%	38.5%
Aleutian Region Schools	75.0%	33.3%
Iditarod Area Schools	64.3%	33.3%
Mt. Edgecumbe High School	115.7%	33.0%
Nome City Schools	84.7%	32.8%
Pribilof Schools	144.4%	30.8%
Yakutat City Schools	107.7%	28.6%
Chatham Schools	83.3%	26.7%
Kake City Schools	100.0%	25.0%
Yukon/Koyukuk Schools	100.0%	25.0%
Bering Strait Schools	67.6%	23.2%
Southwest Region Schools	90.3%	21.4%
Annette Island Schools	96.0%	20.8%
Aleutians East Borough Schools	47.6%	20.0%
North Slope Borough Schools	78.3%	18.5%
Northwest Arctic Borough Schools	76.3%	16.7%
Saint Mary's Schools	54.5%	16.7%
Lower Kuskokwim Schools	81.3%	16.6%
Lower Yukon Schools	63.6%	14.3%
Lake & Peninsula Borough Schools	51.1%	13.3%
Kuspuk School District	108.8%	less than 10%
Yupit Schools	51.4%	less than 10%
Yukon Flats Schools	71.9%	less than 10%
Kashunamiut Schools	100.0%	less than 10%
Hydaburg City Schools	71.4%	less than 10%

Please note: Participation rate may exceed 100% due to increased enrollment between the October count and the spring testing date.

## I.D.E.A. 2002 Parent Survey

An on-line submittable survey was sent out to all I.D.E.A. families in February, 2002. Seven hundred eighteen families responded to the survey. The questions asked and the results are listed below.

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1. I feel that the Individual Learning Plan, which I developed (and was approved by my contact teacher), adequately defines my child's educational needs.

86% .....Strongly agree  
13% .....Agree  
1% .....Somewhat agree  
0% .....Disagree

Comments: 291 out of 718 commented. Of the 291 comments, 289 were positive.

2. The Curriculum Fairs, PO Vendor List, resource rooms, curriculum guidelines, contact teachers, Field Reps, and support staff provide me with sufficient guidance to select and order curricular materials that are appropriate for my child.

80% .....Strongly agree  
18% .....Agree  
2% .....Somewhat agree  
0% .....Disagree

Comments: 268 out of 718 commented. Of the 268 comments, 264 were positive.

3. Freedom to select and order curricular materials to meet my child's individual educational needs is important to me.

98% .....Strongly agree  
2% .....Agree  
0% .....Somewhat agree  
0% .....Disagree

Comments: 361 out of 718 commented. All of the 361 comments were positive.

4. I appreciate the use of an allotment to assist me in meeting my child's educational needs.

95% .....Strongly agree  
4% .....Agree  
0% .....Somewhat agree  
0% .....Disagree  
1% .....No answer given

Comments: 332 out of 718 commented. Of the 332 comments, 330 were positive.

5. The certified teacher support that I receive adequately meets my student's needs.

79% .....Strongly agree  
18% .....Agree  
3% .....Somewhat agree  
0% .....Disagree

Comments: 261 out of 718 commented. Of the 261 comments, 258 were positive.

6. When I need assistance, I am able to receive support from IDEA staff over the telephone, by e-mail, or in person.

87% .....Strongly agree  
10% .....Agree  
2% .....Somewhat agree  
0% .....Disagree  
1% .....No answer given

Comments: 238 out of 718 commented. Of the 238 comments, 226 were positive.

7. I am satisfied that the workshops offered by IDEA staff adequately assist me in meeting my child's educational needs.

62% .....Strongly agree  
30% .....Agree  
3% .....Somewhat agree  
1% .....Disagree  
4% .....No answer given

Comments: 234 comments out of 718. Of the 234 comments, 225 were positive.

8. The overall technology support (computer, internet connectivity, web page, e-mail, tech support) meets my needs for contact with IDEA and meeting my child's educational needs.

77% .....Strongly agree  
18% .....Agree  
3% .....Somewhat agree  
1% .....Disagree  
1% .....No answer given

Comments: 194 comments out of 718. Of the 194 comments, 181 were positive.

9. I am able to have influence into the operation of IDEA through my Parent Advisory Council (PAC) and local Field Rep.

56% .....Strongly agree  
31% .....Agree  
4% .....Somewhat agree  
2% .....Disagree  
7% .....No answer given

10. I am satisfied with IDEA's overall ability to assist me in meeting my child's educational needs.

90% ..... Strongly agree  
8% ..... Agree  
1% ..... Somewhat agree  
0% ..... Disagree  
1% ..... No answer given

Comments: 278 comments out of 718. Of the 278 comments, 275 were positive.

During Session, January - May:  
State Capitol, Room 115  
Juneau, Alaska 99801  
(907) 465-2095  
465-3810 FAX



During Interim, June - December:  
716 W 4th Ave, Suite 520  
Anchorage, Alaska 99501  
(907) 269-0240  
269-0242 FAX

Senator Loren Leman

## Sponsor Statement for SB 346 School District Correspondence Study

**An Act relating to statewide school district correspondence study and state supported home schooling programs.**

SB 346 allows continued success in operating statewide correspondence and home school study programs, with the goal being to maintain parental freedom, individuality and innovation.

Statewide correspondence study programs provide the opportunity for quality education at a lower cost. SB 346 supports quality education by:

1. Holding correspondence schools to the same certification standard as charter schools by extending the certification period from one year to ten years with a requirement for recertification in case a program falls below the state average for students' performance on benchmark exams two years in a row.
2. Providing correspondence and home school study programs with the ability to set their own parameters for monitoring students.
3. Confirming that school districts have the authority to approve or disapprove correspondence curriculum materials.

Correspondence and home schools have been successful in providing educational experiences tailored to individual students. This legislation reaffirms that parents and local school districts have the freedom and flexibility to choose program curricula and materials suited to their students.

Released: March 6, 2002  
Contact: Whitney Highland, Legislative Aide to Senator Loren Leman, at (907) 465-3712

**BIRCH, HORTON, BITTNER AND CHEROT**  
1127 West Seventh Avenue  
Anchorage, AK 99501-3563  
(907) 276-1550  
FAX: (907) 276-3680

**TELECOPY TRANSMITTAL COVER SHEET**

<b>TO:</b>	<b>Senator Lyda Green</b>	<b>Session Fax: 907-465-3805</b>
	<b>Senator Loren Leman</b>	<b>Session Fax: 907-465-3810</b>
	<b>Representative Fred Dyson</b>	<b>Session Fax: 907-465-4587</b>
	<b>Representative Jeannette A. James</b>	<b>Session Fax: 907-465-2381</b>

**FROM:** Gregory A. Miller, Esq.

**DATE:** March 18, 2002

**OUR FILE:** 999,999.1000

**NUMBER OF PAGES (INCLUDING THIS COVER SHEET):** 4

**COMMENTS:**

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 March 18, 2002

VIA FACSIMILE

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 Wasilla, AK 99654

Session Fax: 907-465-3805

Senator Loren Leman  
 716 West Fourth Avenue  
 Anchorage, AK 99501

Session Fax: 907-465-3810

Representative Fred Dyson  
 10928 Eagle River Road, Suite 140  
 Eagle River, AK 99577

Session Fax: 907-465-4587

Representative Jeannette A. James  
 P.O. Box 56622  
 North Pole, AK 99705

Session Fax: 907-465-2381

Re: Session Bill 346 and House Bill 464  
 BHBC File No. 999,999.1000

Dear Senators Green and Leman  
 and Representative Dyson and James:

My name is Greg Miller, and I am writing this in support  
 of SB 346 and HB 464.

I have been on the APC (the governing board) of Aquarian  
 Charter School, in Anchorage, since its inception five years ago.  
 I am also a lawyer, and I represent Family Partnership Charter  
 School, which is a very unique home school program in Anchorage.  
 I have been involved in two funding appeals brought about by the  
 DOE's very broad interpretation of "correspondence schools." For  
 the past three years I have worked to achieve slight modifications  
 to Alaska's charter school laws, and I was very glad to see the  
 Legislature pass those modifications last year. Although somewhat  
 small changes, they were very welcomed.

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I say the above simply to let you know that I have a working familiarity with the "statewide correspondence school" regulations the DOE has proposed, the funding statutes in general as they relate to correspondence schools, plus SB 346 and HE 464.

I am not, however, writing this letter to advocate on behalf of any single school or program. Rather, I am writing to address section (b) of SB 346 and HB 464, which defines "statewide correspondence school." My points are two. First, there is a potentially huge difference between "correspondence study programs" and "home school programs." While a correspondence program is probably also a home school program, the reverse is not true: a home school program is NOT necessarily a correspondence program. Second, please call a spade a spade. Do not lump the two definitions together. That is what the DOE has done these past three years, and it has at best fostered confusion, and at worst has allowed a twisting of these concepts and the wording of various statutes.

The two charter schools with which I am associated welcome clear definitions, not the improper lumping together of titles. This is what I mean by calling a spade a spade. If the DOE resists clear definitions, one must wonder why.

I support the amendment to (b) considered by the House HES on March 14. While this proposed amendment does not really define the separate attributes inherent in "correspondence study programs" versus "statewide correspondence programs" versus "home school programs," this definition at least will prevent the DOE from lumping the three together, ignoring the realities of the programs, and acting like "in-district home school programs" are "statewide correspondence programs." Simply stated, they are not.

The next day, March 15, Senator Lemman proposed a slightly different definition via his Amendment 3 to SB 346. I like this definition a bit better than the HB 464 amendment, with one exception: the proposed Amendment 3 would be less susceptible to future misinterpretations if it included the following underlined words:

(b) In this section, "statewide school correspondence study program" applies to Alyeska Central School, charter school

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correspondence programs that enroll students statewide, and school district correspondence programs that enroll students statewide.

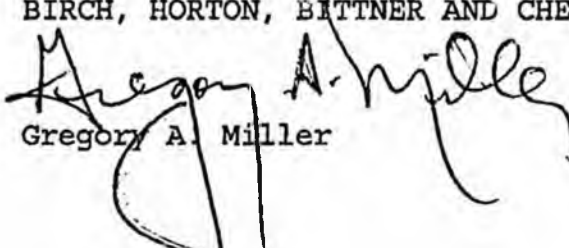
I also firmly support Senator Leman's proposed Amendment 1, which deletes the phrase "home schooling" from this statute related to "statewide correspondence programs." Assistant Superintendent Dr. Ed McClain testified at the March 15 Senate HES hearing that the DOE also supports this Amendment 1, and thus I will not dwell on this issue. Suffice to say that dropping reference to "home school programs" in this "correspondence study program" statute and title is appropriate not only because in reality there is a difference between the two, but also because for many years the Legislature has recognized this distinction by using these separate terms elsewhere, and has never lumped them together. See AS 14.03.095; AS 14.30(010)(b)(10)(B) and (12). These terms should not now be carelessly lumped together in a way that months or years from now may have unintended results. Again, please just call a spade a spade.

I am delighted to see the Legislature address these issues. I have been in two separate appeals where DOE representatives have stated that they welcomed this clarification. Dr. McClain now states that he supports not lumping these concepts together, and thus it seems the door is wide open for the Legislature to put this issue to bed by passing SB 346 and HB 464 in its amended forms.

Thank you. If I may be of any assistance, please call. I cannot be at the next hearings on these two bills, and thus I ask that you make my letter part of the public record.

Sincerely,

BIRCH, HORTON, BITTNER AND CHEROT

  
Gregory A. Miller

GAM/ch  
cc: Timothy Scott